

Doc 9973
AN/486



Manual on Assistance to Aircraft Accident Victims and their Families

Approved by the Secretary General
and published under his authority

First Edition — 2013

International Civil Aviation Organization

<http://www.icao.int/publications>

AVA Documents
Document Sharing Hub

Doc 9973
AN/486



Manual on Assistance to Aircraft Accident Victims and their Families

**Approved by the Secretary General
and published under his authority**

First Edition — 2013

International Civil Aviation Organization

Published in separate English, Arabic, Chinese, French, Russian
and Spanish editions by the
INTERNATIONAL CIVIL AVIATION ORGANIZATION
999 University Street, Montréal, Quebec, Canada H3C 5H7

For ordering information and for a complete listing of sales agents
and booksellers, please go to the ICAO website at www.icao.int

Doc 9973, ***Manual on Assistance to Aircraft Accident
Victims and their Families***

Order Number: 9973

ISBN 978-92-9249-328-8

© ICAO 2013

All rights reserved. No part of this publication may be reproduced, stored in a
retrieval system or transmitted in any form or by any means, without prior
permission in writing from the International Civil Aviation Organization.



Documents
Document Sharing Hub

AMENDMENTS

Amendments are announced in the supplements to the *Catalogue of ICAO Publications*; the Catalogue and its supplements are available on the ICAO website at www.icao.int. The space below is provided to keep a record of such amendments.

RECORD OF AMENDMENTS AND CORRIGENDA

[illegible][illegible]

(iii)

FOREWORD

An aircraft accident is an unexpected and usually catastrophic event. Concern for persons who have suffered distress and loss as the result of aircraft accidents has led to increased efforts within the aviation industry to establish means by which the needs of victims and their families can be addressed in a timely fashion.

During its 32nd Session in October 1998, the International Civil Aviation Organization (ICAO) Assembly considered the subject of assistance to aircraft accident victims and their families. Following a discussion, the Assembly adopted Resolution A32-7, which stated inter alia that:

- the State of Occurrence should address the most critical needs of persons affected by a civil aviation accident;
- the policy of ICAO should be to ensure that the mental, physical and spiritual well-being of victims involved in civil aviation accidents and their families are considered and accommodated by ICAO and its Contracting States;
- it is essential that ICAO and its Contracting States recognize the importance of timely notification of family members of victims involved in aircraft accidents; the prompt recovery and accurate identification of victims; the return of the victims' personal effects; and the dissemination of accurate information to family members;
- governments of nationals, who are victims of civil aviation accidents, have the role of notifying and assisting families of the victims;
- it is essential that support be provided to family members of victims of civil aviation accidents, wherever the accident may occur, and any lessons learnt from support providers, including effective procedures and policies, be promptly disseminated to other Contracting States and ICAO to improve States' family support operations;
- harmonization of the regulations for dealing with the needs of victims of civil aviation accidents and their families is also a humanitarian duty and an optional function of the ICAO Council contemplated in Article 55 (c) of the Chicago Convention;
- States should provide a homogeneous solution for treatment of victims of civil aviation accidents and their families;
- the air carrier involved in a civil aviation accident is often best suited to assist families in the immediate aftermath of the accident;
- family members of victims of a civil aviation accident, irrespective of where the accident occurs or the national origin of the victims, express certain fundamental human needs and emotions; and
- public attention will continue to focus on States' investigative actions, as well as the human interest aspects of a civil aviation accident.

In consequence, the Assembly:

- called on Contracting States to reaffirm their commitment to support victims of civil aviation accidents and their family members;
- urged Contracting States, in cooperation with ICAO and other States, to promptly review, develop, and implement regulations and programmes to support victims of civil aviation accidents and their family members;
- urged States that have regulations and programmes for dealing with the affairs of civil aviation accident victims and their families to make them available to ICAO for possible assistance to other States; and
- urged the Council to develop material which could include Standards and Recommended Practices, citing the need for the establishment of regulations and programmes by Contracting States and their air carriers to support victims of civil aviation accidents and their family members.

Resolution No. 2 of the International Conference on Air Law, which was held in Montréal from 10 to 28 May 1999, recognized the tragic consequences that flow from aircraft accidents. The conference was mindful of the plight of aircraft accident victims and their families and took into account their immediate needs. In so doing, the conference urged air carriers to make advance payments, without delay, based on the immediate economic needs of aircraft accident victims and their families. The conference also encouraged States that are parties to the *Convention for the Unification of Certain Rules for International Carriage by Air* (Doc 9740), adopted on 28 May 1999, at Montréal, to take appropriate measures under national law to promote such action by carriers.

In 2001, in response to Assembly Resolution A32-7, ICAO issued a circular on *Guidance on Assistance to Aircraft Accident Victims and their Families* (Cir 285). In 2005, provisions were included in Annex 9 — *Facilitation* to enable expeditious entry into a State in which an accident has occurred of family members of the victims of the accident.

On 16 March 2012, the Council, at the tenth meeting of its 195th Session, agreed to establish an Assistance to Aircraft Accident Victims Policy Task Force (AVPTF) in order to develop a policy document for the provision of assistance to aircraft accident victims and their families. This document, entitled *ICAO Policy on Assistance to Aircraft Accident Victims and their Families* (Doc 9998), was published in May 2013.

The present document replaces Cir 285, updating and expanding relevant guidance material by incorporating the latest lessons learned and developments in the area of family assistance.

Family assistance plans developed by air operators, airport operators, and governments deliver support services and procedures to provide continuous and timely information to aircraft accident survivors and the family members of victims, so that their fundamental needs and concerns can be addressed and managed. Family assistance plans require cooperative planning and response by air operators, airport operators, the State of Occurrence, non-governmental organizations, and specialized commercial companies.

Irrespective of the scale of an accident, the victims and their families should receive appropriate assistance. Because of variations in the size and circumstances of aircraft accidents, the extent of the resources required to provide family assistance will vary considerably. Therefore, planning for such events is necessary to ensure that in the event of a major aircraft accident, the assistance provided to the victims and their families is adequate and sufficient.

Information regarding the progress of an accident investigation should be provided in a timely manner by the appropriate authority, which is usually the accident investigation authority of the State conducting the investigation. This document provides guidance on this process.

Although specifically addressing the needs of victims and family members, family assistance also benefits the air operator and the State(s) involved in providing assistance. The humanitarian measures being taken by a State or an air operator are formally addressed by the family assistance process. The process also provides a consistent message to the victims and family members, allowing for the ability to mitigate rumours and address areas of concern. Furthermore, family assistance allows for the State or air operator to convey realistic expectations to the victims and family members about support and accident investigation. The expectations of the public, the media, and elected officials can also be considered and addressed. Some States have also found that victims and family members have served as advocates to improve aviation safety.

The objective of this document is to provide guidance on the types of family assistance that may be provided to aircraft accident victims and their families and the avenues available for providing that assistance. It aims to better prepare all parties involved, to facilitate the coordination between them and to describe the scope of their involvement. This document also addresses the establishment of appropriate legislation, regulations and/or policies by States and their air operators in order to support aircraft accident victims and their families.

The guidance material is divided into the following chapters:

- a) Chapter 1 presents definitions of the terms used in the document;
- b) Chapter 2 discusses the recipients of family assistance and provides guidance on defining family members;
- c) Chapter 3 presents guidelines for providing services under the various categories of family assistance, including the provision of information about the investigation;
- d) Chapter 4 examines when family assistance should be provided;
- e) Chapter 5 presents information about the responsibilities of the State, the air operator, and other family assistance providers;
- f) Chapter 6 provides guidance on the development of a family assistance plan; and
- g) Chapter 7 provides a concluding summary.

The appendices provide extracts from several States' legislations on the subject, an example of a family assistance plan, and one airline's guidance material on laws, customs and culture at international destinations, reproduced by kind permission of the New Zealand Police.

The following ICAO documents contain provisions and guidance material related to family assistance that may be provided to aircraft accident victims and their families:

- a) Annex 9 — *Facilitation*; and
- b) *ICAO Policy on Assistance to Aircraft Accident Victims and their Families* (Doc 9998).

.....

PUBLICATIONS REFERRED TO IN THIS DOCUMENT

The following publications referred to in this document are available online:

- *Disaster Victim Identification Guide*, International Criminal Police Organization (ICPO-INTERPOL), available at: <http://www.interpol.int/INTERPOL-expertise/Forensics/DVI>;
- *Management of Dead Bodies in Disaster Situations*, Pan American Health Organization/World Health Organization, available at: <http://www.paho.org/english/dd/ped/DeadBodiesBook.pdf>; and
- *Federal Family Assistance Plan for Aviation Disasters*, National Transportation Safety Board, United States, available at: <http://www.nts.gov/doclib/tda/Federal-Family-Plan-Aviation-Disasters-rev-12-2008.pdf>.

TABLE OF CONTENTS

	<i>Page</i>
Chapter 1. Terminology	1-1
Air operator	1-1
Aircraft accident	1-1
Aircraft accident investigation authority.....	1-2
Airport operator	1-2
Coordinator/coordinating agency	1-2
Family	1-2
Family assistance	1-3
Providers of family assistance.....	1-3
State of occurrence.....	1-3
Survivor.....	1-4
Victim	1-4
Chapter 2. Recipients of family assistance.....	2-1
Chapter 3. Types of family assistance.....	3-1
Confirmation of the involvement of a family member in an aircraft accident	3-1
Provision of immediate information	3-2
Identification, custody and return of human remains.....	3-2
Protection, processing and return of personal effects	3-3
Crisis counselling	3-3
Immediate financial assistance	3-3
Immigration and customs formalities.....	3-4
Provision of information about services	3-4
Visits to the accident site.....	3-4
Privacy and security.....	3-5
Legal advice.....	3-5
Liaison with families	3-5
Memorials and memorial services.....	3-5
Family associations.....	3-6
Provision of information about the accident investigation	3-6
Cultural and religious considerations	3-7
Chapter 4. When family assistance should be provided.....	4-1
Chapter 5. Family assistance providers	5-1
Government.....	5-1
The air operator	5-4
Airport operators	5-5
Third parties.....	5-6
Family associations.....	5-6

	<i>Page</i>
Chapter 6. Development and implementation of a family assistance plan	6-1
Step one — Determine the types of accidents for which the plan will apply	6-1
Step two — Determine the types of assistance to be provided	6-2
Step three — Determine the agencies that will provide the assistance	6-4
Step four — Draft the plan	6-6
Step five — Review the plan	6-7
Step six — Implement the plan	6-8
Step seven — Exercise the plan periodically	6-8
Chapter 7. Conclusion	7-1
 Appendices	
Appendix 1. Extracts from family assistance legislation from the following States:	
Australia	App 1-2
Brazil	App 1-9
China	App 1-14
European Union	App 1-21
Japan	App 1-23
Republic of Korea	App 1-30
United States	App 1-31
Appendix 2. Extract from the United States' family assistance plan for aviation disasters	App 2-1
Appendix 3. Example of one airline's guidance material on laws, customs and culture at international destinations	App 3-1

Chapter 1

TERMINOLOGY

1.1 The following terminology is discussed to ensure that readers understand its intended meaning in the context of this document: air operator, aircraft accident, aircraft accident investigation authority, airport operator, coordinator/coordinating agency, family, family assistance, providers of family assistance, State of Occurrence, survivor and victim. The definitions of these terms apply only to the body of this document and not to the appendices, which were produced independently of ICAO.

AIR OPERATOR

1.2 The air operator is a person, organization or enterprise engaged in or offering to engage in an aircraft operation.

AIRCRAFT ACCIDENT

1.3 The definition of an accident as provided in Annex 13 to the *Convention on International Civil Aviation — Aircraft Accident and Incident Investigation*, is as follows:

An occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which:

a) a person is fatally or seriously injured as a result of:

- being in the aircraft, or
- direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
- direct exposure to jet blast,

except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or

b) the aircraft sustains damage or structural failure which:

- adversely affects the structural strength, performance or flight characteristics of the aircraft, and
- would normally require major repair or replacement of the affected component,

except for engine failure or damage, when the damage is limited to a single engine (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes,

tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or

c) the aircraft is missing or is completely inaccessible.

AIRCRAFT ACCIDENT INVESTIGATION AUTHORITY

1.4 The aircraft accident investigation authority is a government agency, body or commission that has the primary responsibility for the investigation of aircraft accidents, as per Annex 13. Some States refer to this authority as a safety investigation authority.

AIRPORT OPERATOR

1.5 The airport operator is a person, organization or enterprise engaged in the operation of an airport.

COORDINATOR/COORDINATING AGENCY

1.6 A coordinator or coordinating agency is the person or organization required to ensure that the necessary resources and agencies are brought into the proper relationship in order to provide accurate information and the optimum assistance to the victims and their families.

1.7 The appointment of a coordinator/coordinating agency requires careful consideration to ensure that the full potential of the resources will be realized as promptly and economically as practicable. The coordinator/coordinating agency must ensure that the various organizations are not diverted from their predetermined roles by ad hoc arrangements and do not come into conflict when different organizations are required to provide similar forms of information and assistance. The coordinator/coordinating agency may also be the point of contact between the families and the government agencies.

FAMILY

1.8 A definition of the “extent” of the family is an important prerequisite of planning for the provision of family assistance since the size and structure of the family has a direct effect on the logistics involved.

1.9 Determining who constitutes family will involve cultural and legal considerations as well as social relationships and may well be different to what is generally covered by such terms as “legal next of kin” (i.e. that person legally responsible for the estate of the deceased). A definition must be agreed upon that is flexible enough to take due account of the cultures involved.

1.10 A person’s entitlement to the various types of family assistance may depend on the degree of flexibility shown in determining who constitutes family. For example:

- a) responses to inquiries about persons involved in an accident will be to a large cross-section of callers, many of whom will have no direct connection with those persons;
- b) the initial notification to the families of passengers may include family members of passengers who survived;
- c) visits to the accident site and attendance at memorial services may involve persons with a special relationship to those who lost their lives as a result of the accident; and
- d) immediate financial assistance is usually specifically directed to family members who are dependents of a victim under existing laws.

1.11 To avoid repetition, the words “family” and “families” will be used hereafter when referring to the family members of aircraft accident victims.

FAMILY ASSISTANCE

1.12 Family assistance is the provision of services and information to address the concerns and the needs of the aircraft accident victims and their families. The various types of family assistance that may be relevant in the aftermath of an aircraft accident are discussed in Chapter 3.

1.13 The family assistance envisaged in this document applies to all aircraft accident victims and their families regardless of the size and circumstances of the accident.

PROVIDERS OF FAMILY ASSISTANCE

1.14 Providers of family assistance are entities having a role in providing such assistance to accident victims and their families, such as: government departments and agencies of the State where the accident occurred; the air operator; the airport operators; third parties (e.g. non-governmental aid agencies and commercial companies); and family associations.

STATE OF OCCURRENCE

1.15 The State of Occurrence is defined in Annex 13 as “The State in the territory of which an accident or incident occurs.”

1.16 Annex 13 contains three provisions relating to the investigation of an accident when the location of the accident site is not established as being in the territory of any State. These Provisions, which are part of Chapter 5 of the Annex, read as follows:

State of Registry

5.3 When the location of the accident or the serious incident cannot definitely be established as being in the territory of any State, the State of Registry shall institute and conduct any necessary investigation of the accident or serious incident. However, it may

delegate the whole or any part of the investigation to another State by mutual arrangement and consent.

5.3.1 States nearest the scene of an accident in international waters shall provide such assistance as they are able and shall, likewise, respond to requests by the State of Registry.

5.3.2 **Recommendation.**— If the State of Registry is a non-Contracting State which does not intend to conduct an investigation in accordance with Annex 13, the State of the Operator or, failing that, the State of Design or the State of Manufacture should endeavour to institute and conduct an investigation. However, such a State may delegate the whole or any part of the investigation to another State by mutual arrangement and consent.

1.17 When an accident occurs outside the territory of any State, the State of Registry of the aircraft may call upon other States to assist with the provision of family assistance.

SURVIVOR

1.18 A survivor is a victim who is not fatally injured as a result of the aircraft accident.

VICTIM

1.19 A victim is an occupant of the aircraft, or any person outside the aircraft, who is unintentionally directly involved in the aircraft accident. Victims may include the crew, revenue passengers, non-revenue passengers and third parties.

Chapter 2

RECIPIENTS OF FAMILY ASSISTANCE

2.1 The aim of family assistance is to address the concerns and the needs of the victims and their families, to the extent possible, and to provide them with easily accessible factual information about the progress of the accident investigation. From the onset, survivors and families should be informed of the objective of the investigation, in accordance with the provisions of Annex 13. The provision of family assistance requires the commitment of resources in several areas in order to provide the following:

- a) information about the occurrence of the accident, i.e. initial notification of the accident;
- b) information about the emergency response to the accident;
- c) information about the location and status of the victims, and the recovery, identification and disposition of remains, both identified and unidentified;
- d) information about the recovery, management and return of personal effects;
- e) information about the investigative process and its objective, the progress of the investigation, and the public presentation of the findings of the investigation;
- f) coordination of travel to and lodging at a family assistance centre, as well as assistance to those not travelling;
- g) coordination of a visit to the accident site, where access is practicable, with consideration of safety and security concerns;
- h) support for immediate financial needs (outside of potential future litigation, damages settlements, or adjudications); and
- i) social, emotional and psychological support.

2.2 Determining the extent of the family and who is entitled to assistance is perhaps the most difficult and most important aspect of the planning process. Those normally considered eligible are the spouses, legal partners, siblings, offspring and parents of victims, as well as persons recognized as family members according to relevant national legislation. Exceptions may need to be made in order to ensure fairness. When taking into account cultural differences, it is important to ensure that all victims are treated equitably.

2.3 The concept of family differs between cultures and populations. The most prudent approach from the onset is to keep the definition as broad and inclusive as legally and financially possible, with due consideration for existing specifications in States related to persons, other than family members, who may be responsible for the legal affairs of a deceased victim. Specific definitions may not encompass those whom the family relies on for support and guidance. Typically, spouses, legal partners, siblings, offspring and parents of a victim are considered family members. However, there may be others within the more extended family that can provide support to those affected by the accident, including in-laws, family friends, financial dependents and colleagues.

2.4 From the perspective of the State, there are also legal definitions for family members who are entitled to benefits from insurance, wills, probate and legal proceedings. In addition, there may be legal restrictions on who is able

to receive certain services, depending on State laws. Since services are associated with costs, a reasonable limit on the number of family members receiving services free of charge should be considered by service providers.

2.5 Once the population of victims has been defined, further family assistance should be limited to the survivors and the close family members of the victims who, in the opinion of the family assistance providers, have a *bona fide* entitlement to assistance. Determining who is entitled to assistance is important in order to ensure that the family members and the survivors can be treated equitably.

2.6 Ensuring equality in the delivery of information and services to all those involved (e.g. survivors, family members and crew members) eliminates the potential for perceived favouritism or special treatment. Although consideration should be given to any unique groups involved in the accident (e.g. defined groups of travellers, such as school groups, sports teams and tour groups), the air operator and other providers should strive for equality.

2.7 The nature of the immediate assistance provided will vary. For example, families of those who have been killed will require assistance with information about the victim identification process, the transfer of the remains, and funeral arrangements, with due respect to cultural and religious sensitivities. Injured survivors will expect assistance with medical expenses, transfer back to their homes and future care.

2.8 Further requests for assistance may include the return of personal effects, counselling, privacy, legal advice, visits to the accident site, assistance with travel and accommodation, and liaison with relevant agencies and organizations. In addition, requests for information on the progress of the investigation of the accident may be expected from the family members and the survivors.

2.9 Information regarding the accident investigation can be provided to many more persons than are provided services. If such information is provided via social media or e-mail, it may be forwarded from the initial recipients to others, including the media. Therefore, all information provided should be considered public.

Chapter 3

TYPES OF FAMILY ASSISTANCE

3.1 Family assistance planners and providers must recognize that the families and the survivors may have diverse cultural backgrounds and values that require special understanding and consideration. These considerations may include the grieving process, the form of, and attendance at, religious services, the treatment of human remains and the design of memorials.

CONFIRMATION OF THE INVOLVEMENT OF A FAMILY MEMBER IN AN AIRCRAFT ACCIDENT

3.2 Following an aircraft accident, the most immediate form of information required is confirmation of whether or not the person about whom a family is concerned was involved in the accident. The ability to provide such information is dependent upon the availability of an accurate passenger manifest with sufficient detail for positive confirmation of each passenger's identity. There will often be a conflict between the need for accuracy and the need for timeliness in producing the manifest; accuracy is preferred over timeliness. Efforts should be made to produce and update the passenger manifest information as soon as possible.

3.3 Some States have privacy rules and regulations protecting the identities of accident victims and their families, consequently delaying the provision of passenger manifests. This may adversely affect the coordination and provision of family assistance by the authorities responsible.

3.4 Air operators should be prepared to use the following two methods to conduct notifications once an accurate manifest has been produced:

- a) using contact information provided by the passengers (e.g. frequent flyer numbers, credit card information or emergency contact information within the passenger name record), the air operator should use trained callers/operators to contact family members. These callers should be trained to interact effectively with emotionally distraught persons and should be able to provide basic information concerning the next steps in the assistance process for the family members; and
- b) the air operator should activate and publicize a toll-free telephone number for family members to call to inquire if a passenger's name is on the manifest. The telephone system should be capable of handling a significant volume of calls. Once there is confirmation of the presence of a passenger's name on the manifest, operators should provide basic information concerning the next steps in the assistance process for the family members. The interest that the caller has in a passenger should be discreetly ascertained by the operator, who should thereafter direct the inquiry to the relevant family assistance provider. Calls may be received from:
 - 1) family, friends, colleagues, etc. who know a passenger's itinerary;
 - 2) family, friends, colleagues, etc. who are not certain of a prospective passenger's travel plans; and
 - 3) those persons having no personal connection with a passenger, such as journalists.

3.5 Ideally, the closest relative should be the first person notified of the involvement of a family member in an aircraft accident. Once that person has been notified, he or she can then determine if there are any other persons who have a *bona fide* interest in the victim and should be notified. When an inquirer who is not the closest relative of a victim calls for confirmation of the involvement of the victim, the preferred procedure is to try, by tactful inquiry, to ensure that the closest relative has already been notified. The families should also be asked to nominate one or more persons to serve as the principle point of contact in order to ensure the flow of information to and from the other family members affected by the victim's involvement in the accident. Experience has shown that an average of four to six contact persons per family may be required to ensure the flow of information within a family. Preferred methods of contact should be by telephone and e-mail.

3.6 The air operator's website should be modified to acknowledge the accident, publicize the toll-free telephone number and provide other appropriate information, such as flight information. Posting of the passenger manifest on the air operator's website should not be considered notification of involvement in an accident. Family members who find a name on a manifest will still need to be provided notification, assistance and information, and their calls to the air operator should be treated as noted in paragraph 3.4 b).

3.7 The air operator and airport operator may also have to manage the needs of family members or friends who gather at the departure and arrival airports. Ticket agents, gate agents, security personnel and other airport employees will be involved in this process. Care should be taken as to the message provided on the arrivals/departures board (e.g. a general message such as "See Agent" may be preferred). Often, a safe and secure room is used within the airport to gather family members and provide them with some initial information. Agents can escort family members and/or friends to this secure location. The air operator should not read aloud the list of names from the manifest to such groups in order to conduct notification. Rather, they should provide the assembled group with any verified factual information on the accident.

3.8 The air operator should exercise caution when deciding on which agencies or persons may receive a copy of the manifest and follow any pertinent State regulations. Precautions should be taken to protect any personal data that could be released as part of the manifest. If air operators decide to release the manifest to the public, they should consider seeking permission from family members to include the names of the victims on the list.

PROVISION OF IMMEDIATE INFORMATION

3.9 Once contact has been made with family members, they should be provided with immediate information about the next steps in the family assistance process. Such information includes how the air operator will arrange for travel to the accident location, how air operator support personnel will continue to interact with family members, and how any immediate needs will be addressed.

IDENTIFICATION, CUSTODY AND RETURN OF HUMAN REMAINS

3.10 The recovery, custody and identification of survivors, missing persons and injured and fatally-injured victims, and the return of human remains, are very important steps in the family assistance process. Depending on the circumstances of an accident, recovery of the remains may be a complex process. Identification can also be an arduous and time-consuming process, and legal statutes often require a post-mortem examination of those killed in an accident. Identification requires the cooperation of family members and others in order to obtain ante-mortem (before death) data, such as dental records, medical records, fingerprints and DNA samples. In most cases, there will be an authority within the State that is responsible for the identification of victims. Additional information on the victim identification process is available on the International Criminal Police Organization (ICPO-INTERPOL) website at: <http://www.interpol.int/INTERPOL-expertise/Forensics/DVI>.

3.11 In some accidents, there will be remains that cannot be identified despite exhaustive efforts. In such circumstances, the medico-legal authority should be informed of all local laws regarding the disposition of unidentified remains. Some States inform family members of the existence of the unidentified remains and ask them to work with the authorities responsible for victim recovery and identification to devise a plan for disposition. Comprehensive guidance material on the subject is available in the manual *Management of Dead Bodies in Disaster Situations* issued by the Pan American Health Organization/World Health Organization at: <http://www.paho.org/english/dd/ped/DeadBodiesBook.pdf>.

3.12 In situations where there is ongoing recovery and identification of partial remains over an extended period of time, family members should be asked whether they prefer to be notified of future identifications and whether they wish to have those remains returned to them.

3.13 The rescue and hospitalization of injured victims is an essential function of local first responders and thus a function of local government. Tracking injured victims to hospitals is often the responsibility of local emergency medical services providers. The air operator should work with the local response agency to determine the location and identity of such injured victims and provide the necessary information to the appropriate family members.

3.14 Non-injured survivors must also be accounted for. Local responders will be the first to interact with survivors and a mechanism to record their personal information and whereabouts should be implemented. Air operators should obtain this information and provide services to these victims.

PROTECTION, PROCESSING AND RETURN OF PERSONAL EFFECTS

3.15 The families and the survivors will need reassurance that arrangements have been made to ensure that personal effects will be correctly handled and returned to their legal owners. The protection of personal effects is usually the responsibility of the air operator in conjunction with the police and the authority claiming custody of the remains. On occasion, some items will be held at first as evidence by the accident investigation authority or police. A pictorial record of non-identified personal effects should be made and circulated to family members for identification. The handing over of the pictorial record should take place in the presence of a caregiver, close friend or a member of the clergy, etc.

3.16 Some air operators have chosen to use a third-party vendor to manage the personal effects process. Vendors often use either a printed catalogue or a password-controlled website to allow family members to view images and make claims for non-identified personal effects.

CRISIS COUNSELLING

3.17 Crisis counselling for the survivors and their families is expected in many societies. Such support can vary from providing immediate psychological first aid and common-sense advice on dealing with the practical aspects of life after an accident to more significant long-term mental health care. Providing support to the families will require well-coordinated logistics which should not be the responsibility of the mental health providers. The mental health providers should concentrate solely on caring for the well-being of the families.

IMMEDIATE FINANCIAL ASSISTANCE

3.18 The families and the survivors often require immediate financial assistance. In particular, they need to be provided with sufficient funds to meet their immediate needs. Advance payments recognize the immediate needs of families to meet ongoing financial obligations and should not require proof of such obligations.

IMMIGRATION AND CUSTOMS FORMALITIES

3.19 The families and the survivors will often need assistance with immigration and customs formalities. Survivors who have lost their identity papers and tickets in the accident will require assistance to complete their travel. Family members may need to travel to the accident site, a hospital or another location to meet injured survivors, attend memorial services or visit the State of Occurrence for reasons directly related to the accident. Assistance from immigration and customs agencies will also be required for the repatriation of human remains and personal effects. Annex 9 to the *Convention on International Civil Aviation — Facilitation*, Chapter 8, Section I. *Assistance to aircraft accident victims and their families* (partially quoted in paragraph 5.2 of this document) provides additional information.

PROVISION OF INFORMATION ABOUT SERVICES

3.20 The provision of a continuous flow of information is fundamental to an effective family assistance plan. Care should be taken to ensure that each family's contact persons pass on the information to the whole family. The families and the survivors are anxious to be provided, as soon as practicable, with details about items of immediate concern, such as:

- a) logistical arrangements: travel to the accident location, accommodations while away from home and onward travel (in the case of survivors);
- b) financial assistance: payments to assist with immediate needs and further financial support, if it will be provided;
- c) search, recovery, identification and repatriation of remains, and death certification;
- d) personal effects management;
- e) crisis and spiritual counselling; and
- f) long-term considerations: memorial services, memorials and mass burial of any unidentified remains.

3.21 When there are multiple service providers, there should be an agreement between them to coordinate communications. Written communications should be translated into the main languages of the family members.

VISITS TO THE ACCIDENT SITE

3.22 Where access is practicable, a visit to the accident site by the families and the survivors, as part of the grieving process, is important and has become common practice. Such visits must be planned in close coordination with the accident investigation authority so as to ensure, among others, that the investigation will not be adversely impacted. The travel necessary to facilitate these visits, the escorting of family members while they are at the accident site and their accommodation until they leave the State are matters which need to be considered. Families may also appreciate assistance with the care of any young children they have brought with them. Experience has shown that the family members of those killed in an accident prefer not to share the visit to the accident site with survivors, although they should be asked about their preferences. Also, it is advisable to arrange the visit for family members of passengers separately from the visit for family members of the crew. There will also be occasions when visits to the accident site by family members are impractical due to safety concerns, remoteness or accessibility issues. In the case of suspected criminal involvement, visits to the site may be restricted by judicial authorities.

3.23 Prior to the site visit, family members and survivors should be briefed on the plans and informed about what they will see, hear and smell. Coordinating the transportation of family members from a central location (family assistance centre) to the site will allow for better management of the visit. A predetermined length of time for the visit should be arranged before the visit takes place. Site visits should not be conducted until human remains and personal effects have been removed from the accident site or are no longer visible. Investigation activities at the accident site should not take place during the visit. Finally, media should not be present during the visit. In order to protect the family members and the wreckage, the site should be secured by employing security personnel and using a physical barrier. Mental health providers, emergency medical staff and spiritual care providers should also be available before and during the visit. An area should be created in order for families to accommodate religious considerations and to allow family members to leave mementos, notes and other items. A plan for managing these items after the departure of the family members should be established before the visit. Officials familiar with the accident investigation, the victim recovery and identification process, and personal effects management should be available during the site visit to address questions.

PRIVACY AND SECURITY

3.24 Privacy for the families and the survivors is of utmost importance. The provision of closed and quiet meeting rooms is essential. Any location chosen to house family members and provide them with information (such as a family assistance centre) should also provide security to ensure that those who are not family members are denied entrance. Some air operators use a badging system to ensure security at family assistance centres.

LEGAL ADVICE

3.25 The families and the survivors are usually in a state of shock for some time. In these circumstances, it may be too early to address legal matters with them. Nevertheless, it is appropriate that they have access to general information pertaining to immediate legal matters. This may be provided *pro bono* by local bar associations.

LIAISON WITH FAMILIES

3.26 The provision of family assistance involves government agencies, air operators, airport operators, aid and humanitarian organizations and private contractors. Each of these providers has a specific role, and their tasks will be facilitated if the families and the survivors are aware of these role and how each provider can be contacted. For instance, one State has produced a pamphlet which outlines the role of each provider agency involved and contains space to enter the contact details for each agency.

MEMORIALS AND MEMORIAL SERVICES

3.27 Families need to be assured that they will be able to participate in any memorial services held after the accident and they should have the opportunity to be involved in the design of any memorial structures erected in memory of those killed in the accident. The involvement of the families in the planning of these services should be facilitated. Provision should be made for the ongoing maintenance of memorials.

FAMILY ASSOCIATIONS

3.28 The family members impacted by the accident may wish to create an association in order to meet specific needs, such as sharing experiences, arranging memorial services and exchanging information. While government agencies and the air operator should consider supporting such associations, the initiative to start a family association must originate with the families and the survivors and not with the State or the air operator.

3.29 Family associations can offer unique first-hand experience and insight regarding the provision of family assistance and can also serve as interlocutors regarding the handling of certain family assistance issues. Some family associations have become advocates for aviation safety in some States. Family assistance providers must ensure that contact is maintained with families and survivors who do not join such associations.

PROVISION OF INFORMATION ABOUT THE ACCIDENT INVESTIGATION

3.30 As the accident investigation authority proceeds through the investigation, family members and survivors should be provided, through periodic advisories, with updated, validated information on the progress of the investigation before the information is released to the public. To the extent appropriate, the families should be invited to attend public meetings related to the accident and should be provided with copies of reports as they are released to the public through the accident investigation authority's normal process. Families should also be notified of the upcoming release of such reports and the scheduling of meetings in order to plan accordingly. Care should be taken when providing information in multiple languages to ensure that translations are accurate. Advance notification can be made via e-mail and through family associations.

3.31 Some families and survivors may consider that they should be entitled to listen to the cockpit voice recording and to have access to a transcript of the cockpit voice recording. The disclosure of cockpit voice recordings is dependent upon national policy and legislation. Disclosure of cockpit voice recordings and transcripts is contrary to Standard 5.12, *Non-disclosure of records*, of Annex 13, which states:

5.12 The State conducting the investigation of an accident or incident shall not make the following records available for purposes other than accident or incident investigation, unless the appropriate authority for the administration of justice in that State determines that their disclosure outweighs the adverse domestic and international impact such action may have on that or any future investigations:

- a) all statements taken from persons by the investigation authorities in the course of their investigation;
- b) all communications between persons having been involved in the operation of the aircraft;
- c) medical or private information regarding persons involved in the accident or incident;
- d) cockpit voice recordings and transcripts from such recordings;
- e) recordings and transcriptions of recordings from air traffic control units;
- f) cockpit airborne image recordings and any part or transcripts from such recordings; and
- g) opinions expressed in the analysis of information, including flight recorder information.

3.32 It should be noted that Annex 13, Chapter 5 provides that a State whose citizens suffered fatalities or serious injuries to its citizens has the right to appoint an expert who shall be entitled to: visit the scene of the accident; have access to the relevant factual information which is approved for public release by the State conducting the investigation, and information on the progress of the investigation; and receive a copy of the Final Report. The chapter also addresses the right of the State to assist in victim identification and to meet with survivors from that State. Finally, Annex 13 recommends that the State conducting the investigation should release, at least during the first year of the investigation, established factual information and indicate the progress of the investigation in a timely manner.

CULTURAL AND RELIGIOUS CONSIDERATIONS

3.33 Cultural and religious considerations are important factors in the preparation of a family assistance plan. The requirements for the treatment of the victims' remains may involve distinct and specialized considerations, as may the provision of memorial services and the design of memorial structures to those who perished in an accident.



Chapter 4

WHEN FAMILY ASSISTANCE SHOULD BE PROVIDED

4.1 An important planning consideration is to determine the circumstances under which a State may be involved in the provision of family assistance.

4.2 The potential need to provide family assistance will arise whenever an aircraft accident that occurs in a State's territory involves loss of life or injury to the aircraft occupants or to third parties who become involved unintentionally.

4.3 The need for a State, which is not the State of Occurrence, to provide family assistance may arise when an accident occurs in international waters adjacent to the State, when the State of Occurrence requests such assistance or when its citizens are victims.

4.4 Family assistance plans should accommodate a range of plausible accident scenarios with a varying number of victims and their families. Some air operators estimate that a minimum of three caregivers per passenger seat of their largest aircraft should be the basis for planning in order to allow for personnel replacement and work schedule planning. For smaller accidents, the air operator and the State's normal emergency response teams will have the resources to provide appropriate assistance. The point at which there will be a need to supplement normal emergency response resources must be determined and the family assistance plan should address the coordination of additional support.

4.5 Determining the length of time and the extent to which each type of family assistance should be provided is an important consideration in the planning process. The appropriate duration of most types of assistance should be considered in each case. The holding of funerals for the deceased, repatriation of the injured, return of personal effects and advance payments are obvious milestones that may provide natural limits to these types of family assistance.

4.6 The families and the survivors of aircraft accidents may, however, be entitled to some forms of assistance until the investigation of the accident has been concluded. Because the investigation into an aircraft accident may take more than one year to complete, the most prolonged form of assistance may be the provision of information on the progress of the investigation. In this connection, in accordance with the provisions of Annex 13, the accident investigation authority should release established factual information and indicate the progress of the investigation in a timely manner.



Chapter 5

FAMILY ASSISTANCE PROVIDERS

5.1 There are five main groups involved in providing family assistance:

- a) the government of the State of Occurrence and other States involved in the occurrence;
- b) the air operators;
- c) the airport operators;
- d) third parties (e.g. non-governmental aid agencies and commercial companies); and
- e) family associations, when required.

5.2 Each group brings different resources and responsibilities to the family assistance efforts. The work of these groups should be synchronized and well-coordinated in order to conduct an effective family assistance response.

GOVERNMENT

State of Occurrence

5.3 The State of Occurrence has several roles in the provision of family assistance, including those defined as follows in Annex 9, Chapter 8, Section I. *Assistance to aircraft accident victims and their families*:

8.39 The State of Occurrence of an aircraft accident and adjacent States shall make arrangements to facilitate the entry into their territory on a temporary basis of family members of victims of an aircraft accident.

8.40 The State of Occurrence and adjacent States shall also make arrangements to facilitate the entry into their territory, on a temporary basis, of authorized representatives of the operator whose aircraft has met with the accident, or of the operator's alliance partner, in order to enable them to provide assistance to survivors and their family members, the family members of the deceased victims of the accident and the relevant authorities in these States.

Note.— Code-sharing and similar alliance agreements sometimes require alliance partners to act as “first responder” on behalf of an affected operator in case the alliance partner can get to the location of the accident quicker than the affected operator.

8.41 **Recommended Practice.**— In arranging for the entry of the persons referred to in 8.39, the State of Occurrence and adjacent States should not require any other travel document than a passport, or an emergency travel document issued specifically to such persons, to enable them to travel to these States. In cases where the State of Occurrence of the accident or an adjacent State requires entrance visas for persons referred to in 8.39 and 8.40 above, it should expedite the issuance of such visas.

8.42 Contracting States shall make arrangements to issue emergency travel documents, if required, to their nationals who have survived the accident.

8.43 Contracting States shall extend all necessary assistance, such as arranging transport and clearing customs, in the repatriation of human remains to their countries of origin, on request by family members of the deceased or the operator whose aircraft met with the accident.

5.4 In addition, States should fulfil the following roles in the provision of family assistance:

- a) preparing a plan to ensure that aircraft accident victims and their families receive the types of family assistance to which they are entitled, as determined by the State;
- b) ensuring that entities providing family assistance are meeting their obligations;
- c) coordinating the resources involved in providing family assistance;
- d) ensuring that human remains are recovered and identified;
- e) facilitating travel by family members to the hospitals where injured victims are being treated, to the accident site and to memorial services;
- f) providing families and survivors with information on the progress of the investigation of the accident; and
- g) providing any other services or information required by State laws or regulations.

Note.— When the location of the accident cannot definitely be established as being in the territory of any State, the State of Registry should be responsible for providing family assistance to accident victims and their families. States nearest the scene of an accident in international waters are expected to provide family assistance as they are able, as well as respond to requests by the State of Registry.

Coordinator/coordinating agency

5.5 Because the provision of family assistance involves many agencies and authorities, a coordinating agency should be appointed. This agency should be involved in the planning phase and should be notified immediately after the occurrence of an accident. The designation of a coordinator/coordinating agency is essential to ensure that the various agencies function together to provide the appropriate assistance to the families and the survivors. The coordinator/coordinating agency may also be the point of contact between the families and the government agencies.

5.6 For instance, one State has considered it practicable to establish a coordinating agency within its accident investigation authority, which is separate from the investigative team, in order to coordinate the provision of family assistance. Other States have provided coordination through the ministry in charge of civil aviation and/or the Ministry of Foreign Affairs, as different nationalities may be involved in an accident.

Aircraft accident investigation authority

5.7 The provision of family assistance should be separate from the accident investigation. The accident investigation authority must remain focused on the investigation of the accident and ensure that any information provided under family assistance does not in any way compromise the objective of the investigation as prescribed in

Annex 13. Nevertheless, the accident investigation authority has a responsibility to provide relevant, validated and timely information to the families and the accident survivors. The accident investigation authority may be able to provide to the families and the survivors information on the progress of the investigation and any safety recommendations being contemplated to prevent similar accidents. Information on issues of immediate concern, such as the release of human remains and personal effects, may be shared or may be the sole responsibility of a specific authority depending on the convention of the State of Occurrence.

5.8 The accident investigation authority should be aware of the concerns of the families and the survivors. To keep them informed, the authority should consider appointing one person as a liaison or focal point to ensure effective communication with other providers of family assistance, and to coordinate visits to the accident site by the families and survivors when required, and when access is practicable. Alternatively, a liaison or point of contact from another appropriate State agency may be considered. The liaison should maintain close contact with the investigator-in-charge and the head of the accident investigation authority in order to provide them with information on any inquiries that are being received. The liaison should be aware of what information can be released, and should work with the authority's spokesperson to ensure that the release of information will not hamper the progress nor compromise the objective of the investigation.

5.9 There are often simultaneous ongoing investigations, such as safety-related investigations, judicial investigations and criminal investigations. Each investigation has its own restrictions regarding the management and release of information. The accident investigation authority should not provide information on these other investigations, as this could compromise both the safety investigation and any simultaneous investigations. However, steps should be taken to provide validated investigation information within these restrictions to family members and survivors. All efforts should be taken to provide information to family members and survivors prior to any public or media release.

5.10 In cases where the State of Occurrence delegates the accident investigation to another State, the delegated State should accept the responsibility to provide information about the progress of the investigation to family members and survivors.

Civil aviation authority

5.11 Civil aviation authorities or other appropriate authorities establish legislation, regulations and/or policies to require that air operators and airport operators have family assistance plans and resources to provide timely and effective assistance to aircraft accident victims and their families. Such plans should be supervised, exercised and audited as necessary.

5.12 The accident investigation authority typically develops safety recommendations to improve safety following its investigation. Some of these recommendations may be implemented by the civil aviation authority, which is usually responsible for regulation, certification and oversight of the aviation industry. The civil aviation authority may provide information on the actions it intends to take to the public, including family members and survivors.

Police

5.13 The police are usually among the first to arrive at the scene of an accident and may have a significant role in the notification of the involvement of a family member in an aircraft accident, as well as in the security and return of personal effects. In some States, the responsibility for victim identification and notification of death to next of kin rests solely with the police. Law enforcement agencies will also likely be involved in a criminal investigation undertaken as part of an accident.

Authorities responsible for victim recovery and identification

5.14 Police, coroners and health authorities may each have an important role in recovering and identifying the remains of victims. This responsibility may be shared or may be the sole responsibility of a specific authority, depending on the convention of the State of Occurrence. Victim recovery and identification is a resource intensive process often requiring collaboration between States and agencies. Air operators generally have no legal role in the victim identification process but are often responsible for the return of human remains to their home State and for assistance with funeral arrangements. Some air operators may delegate their responsibilities in this matter to an authorized commercial entity.

5.15 Following the identification of fatalities, arrangements should be made for the return of human remains across international boundaries and for the final interment of the victims in accordance with the cultural requirements of the families.

Diplomatic and consular staff

5.16 The international nature of air transportation requires diplomatic and consular staff to have a liaison and coordination role in facilitating the provision of family assistance. This may involve expediting the issuance of travel documentation and visas and acting as liaison between their own authorities, their citizens and the State of Occurrence. In addition, they may also facilitate the return of human remains and personal effects, provide translation services and coordinate the flow of investigative information to families residing in the home State. Annex 9 provisions in this area are provided in paragraph 5.3.

Immigration and customs authorities

5.17 The immigration and customs authorities in the State of Occurrence have an important role in minimizing the impact of travel formalities on the families and the survivors, and on the return of human remains and personal effects. Paragraphs 5.3 and 6.17 provide further information on this matter.

THE AIR OPERATOR

5.18 The air operator is normally the best entity to establish whether or not a person has been involved in an aircraft accident. Some States have legislation that requires each air operator to maintain an accurate passenger manifest to facilitate the identification of those who may be involved in an aircraft accident. Following an accident, the air operator should provide this manifest to certain investigative authorities and to the State's department of citizen affairs or its Foreign Office within a specified period of time. Air operators may also be required by law to have a plan for the provision of family assistance in the event of an accident in that State.

5.19 The air operator should have an adequate number of suitably qualified and trained persons available to answer inquiries concerning the passengers involved. The normal means of contacting this team is by telephone, the telephone numbers having been promulgated by the air operator. The air operator should also make every endeavour to ensure that the family of any aircraft accident victim, about whom no inquiry has been made, is notified of the victim's involvement in the accident. The air operator may also post an accident-specific website, or other electronic means, linked from its home page, in order to provide information about how to contact the air operator for additional information.

5.20 Other types of family assistance in which the air operator can be expected to have a major role, and which may require due coordination with appropriate authorities and/or entities, are:

- a) transportation for the families and the survivors to a safe and secure location near the accident site;
- b) in cooperation with the airport operator, provision of private facilities for those persons awaiting an aircraft that will not arrive as the result of an accident and for those returning to the departure point after learning of an accident;
- c) provision of privacy for the families and the survivors;
- d) immediate financial assistance for the dependents of victims;
- e) provision of counselling services for the families and the survivors;
- f) arrangements for a visit to the accident site for the families and the survivors, to be made in coordination with the accident investigation authority concerned and any others deemed appropriate, such as police and the authorities responsible for victim recovery and identification;
- g) arrangements for memorial services and erection of memorial structures;
- h) transportation for the families to a memorial service;
- i) escort, care and shelter of families and survivors who visit the accident site and attend memorial services;
- j) return of human remains to their home State;
- k) assistance with funeral arrangements, if desired;
- l) location, storage and return of personal effects to the families and the survivors; and
- m) provision of information on matters related to the care of the families and the survivors.

5.21 In the case of code-share flights and air operators that are members of an alliance, the partner air operators should assist with these tasks, particularly when an accident occurs away from the home base of the air operator. Some code-share and alliance agreements have pre-arranged binding mutual assistance agreements.

AIRPORT OPERATORS

5.22 Because airports are often the places where family members and friends first gather to receive information regarding an accident, airports should develop plans to provide immediate care and support following an accident. Such plans should be implemented in coordination with air operators so as to facilitate harmonization of the assistance to be provided.

5.23 Airport operators should consider identifying facilities at or near the airport for family members and friends to gather (often referred to as a family and friends reception centre), where non-injured survivors may be brought and where the media may gather. Airport operators may also assist those gathering at the airport by providing check-in counter security, and transportation to the family and friends reception centre if it is located off airport grounds. Any support being provided should be coordinated with the air operator.

5.24 Following an accident, all airports associated with the operation may need to be involved in the provision of family assistance, including the airport of departure, destination airport and alternate airports. Many airports partner with the air operators and local disaster response agencies to assist in the response.

THIRD PARTIES

Aid agencies

5.25 Aid agencies have extensive experience in dealing with families and disaster survivors and are often able to provide services, such as crisis counselling and support for the families of accident victims. They may also be called upon to assist in:

- a) meeting with families who have travelled to the location of the accident and providing childcare, where necessary;
- b) providing and coordinating crisis counselling and spiritual or religious care services;
- c) contacting the families who are unable to travel to the location of the accident and providing crisis counselling for them; and
- d) advising the families of the roles of the air operator and the various agencies involved, as well as providing liaison with these agencies.

Authorized commercial companies

5.26 Some government agencies and air operators have found the use of authorized commercial third-party entities to be an efficient way to provide some forms of family assistance. For example, specialized companies are often used by air operators to handle calls from family members, provide on-scene family assistance coordination, and to coordinate with the authorities responsible for victim recovery and identification, in order to manage the identification, custody and return of personal effects. In choosing commercial companies, attention should be paid to potential conflicts of interest. For example, a third party having multiple contractual relationships with different entities responding to the event, such as the air operator and a government agency, may find it difficult to fulfil one contract without violating another.

FAMILY ASSOCIATIONS

5.27 Following a major aircraft accident, associations of the families of the victims have in some instances been established. Family associations provide assistance to their members in various forms and, in some cases, have provided assistance to the families of victims of subsequent aircraft accidents. Family associations can sometimes serve as advisors to governments and air operators, and can serve as interlocutors regarding the handling of certain family assistance issues. While the members of family associations can offer unique first-hand insight and their involvement may be accepted by family members involved in a recent accident, family assistance providers should be trained professionals with prior practical experience. During the development of their family assistance plans, States may take into account the experience and support that family associations can provide. States may also consider supporting the establishment of family associations, as necessary.

Chapter 6

DEVELOPMENT AND IMPLEMENTATION OF A FAMILY ASSISTANCE PLAN

6.1 Concern for the families and the survivors of aircraft accidents and awareness of their need for assistance are becoming increasingly important international social and political issues.

6.2 States and air operators that have neither the resources nor the means of providing a comprehensive family assistance plan should consider entering into appropriate cooperative arrangements with others in order to develop a family assistance plan.

6.3 A detailed, well-considered plan that is periodically exercised is critical to the provision of family assistance because the need to provide such assistance may occur with little or no warning, requiring an immediate response, and may involve large numbers of trained personnel, significant expense and the use of dedicated resources.

6.4 Family assistance is of such importance that it may require national legislation, regulations and/or policies to ensure that the necessary resources and commitment are available at short notice. Aircraft accident family assistance legislation, regulations and/or policies are often enacted before a plan is written. Legislated requirements will often influence aspects of the plan. Some States and the European Union have adopted legislation, each of which is different in scope and specificity. Copies of some are provided in Appendix 1.

6.5 The seven steps that follow are suggested as a means for a State to prepare a national plan for the provision of family assistance to aircraft accident victims.

STEP ONE — DETERMINE THE TYPES OF ACCIDENTS FOR WHICH THE PLAN WILL APPLY

6.6 The size and scope of an aircraft accident will influence the family assistance response. In some States, there exists legislation that defines when family assistance requirements are to be implemented. For accidents outside these States, the State and the air operator should consider providing family assistance when there is loss of life or significant injury. The scale of the family assistance response is directly related to the number of people impacted, i.e. the number of occupants on board the aircraft and injuries and fatalities on the ground.

6.7 Some air operators have formed alliances and code-share agreements with other operators. The primary operator should work with its code-share partners to ensure that there are no gaps in the family assistance response. Alliance partners should work out family assistance responsibilities, taking into account cultural and legal differences in the various States in which they operate.

6.8 Criteria that will assist in determining the type of accidents for which various types of family assistance will be provided are:

- a) legislation, regulations and/or policies in the State of Occurrence that define when family assistance requirements are to be implemented;
- b) the resources available;

- c) the capabilities of the air operator;
- d) the scale of assistance envisaged; and
- e) the number of aircraft occupants.

6.9 The total resources required are directly related to the scale of family assistance envisaged and the number of persons for whom it will be provided. In accidents involving large aircraft, the total number of occupants, rather than the number of dead and injured, may be the key factor in determining the scale of the initial response required. During the initial response, all requests for the confirmation of the involvement of persons in an aircraft accident must be responded to irrespective of the state of incapacitation of those persons.

STEP TWO — DETERMINE THE TYPES OF ASSISTANCE TO BE PROVIDED

6.10 The types of family assistance commonly expected by the families and the survivors of aircraft accidents are explained below.

6.11 **Confirmation of involvement.** Confirmation of the involvement of a family member in an accident requires an accurate passenger manifest and sufficient telephone lines to cater for upwards of 50 000 calls in the first 24 hours after a major accident. Therefore a team, which should be established and trained in advance, must be available at short notice and for several days to respond to these calls. It is essential that work schedules are maintained and that the provision for relief staff is taken into account in the planning phase. In addition, publicizing the telephone number of the air operator through radio, television and websites is critical in the confirmation process. Some air operators have created a “dark” website that is activated when an accident occurs and which provides the flight information and contact information.

6.12 **Provision of immediate information.** The provision of accurate and timely information by the air operator and other agencies providing family assistance is an important aspect of assistance to the families and the survivors. It is essential that the various entities involved in the provision of information understand their roles and stay within the boundaries of those roles. Family members and survivors should also be provided telephone, television and Internet access.

6.13 **Identification, custody and return of human remains.** Accounting for survivors, missing persons and injured and fatally-injured victims is a critical concern. Using the flight manifest, all passengers and crew members must be accounted for and their conditions verified. For survivors and injured able to speak, this process is simple. However, for injured unable to speak, a process for identifying them and the location of the hospital to which they were admitted is required. For the fatalities, the often complex processes of victim recovery and identification must be initiated. Provision for the identification of human remains and sensitivity in handling the custody and return of such remains are essential.

6.14 **Protection, processing and return of personal effects.** Effective procedures for the protection, processing, claiming and return of recovered personal effects have the potential to relieve anxiety among the families and the survivors. The return of property as expeditiously as practicable can significantly reduce the sense of loss and shock. Sensitivity and the risk of contamination by blood-borne pathogens will normally require careful cleaning of the possessions. A plan should be made for the management and storage of unclaimed items. A process to resolve competitive claims should also be considered.

6.15 **Crisis counselling.** Counselling in this context is normally the provision of experienced persons who can advise the survivors and the families about the challenges of their situation and the practical steps that will help them to cope with their situation. The number of persons requiring counselling may exceed the number of accident victims.

6.16 **Immediate financial assistance.** Information regarding the availability of immediate financial assistance to entitled persons and the applicable procedures to obtain it will be appreciated by the families and the survivors. Assistance for immediate needs in the early stages of post-accident recovery is foreseen in Article 28 — Advance Payments of the *Convention for the Unification of Certain Rules for International Carriage by Air* (Doc 9740).

6.17 **Immigration and customs formalities.** The provision of family assistance is likely to require considerable latitude with regard to immigration and customs formalities in the aftermath of an accident. Survivors are likely to have lost identity papers. The families of foreign victims and injured survivors will appreciate immediate access to, and return from, the State of Occurrence to attend to their responsibilities. The most expeditious procedures practicable should be developed to facilitate the movement of such individuals, as well as the return to the home State of the remains of those who lost their lives in the accident. The provision of family assistance will be facilitated if foreign agencies and organizations are given the maximum latitude practical to enter the State of Occurrence and obtain clearance for their supporting equipment. Relevant provisions are included in Annex 9, Chapter 8, Section I. *Assistance to aircraft accident victims and their families.*

6.18 **Provision of information about services.** Information about the types of services that will be provided to family members and survivors and who will be providing them must be accurate. The service providers should be considered in the planning stages, along with the method of payment for services. Services to be considered include payments for immediate financial needs, logistical arrangements for travel, food and lodging, personal effects management, crisis counselling, medical support (for those injured) and burial services.

6.19 **Visits to the accident site.** In some cultures or religions, it is important for the relatives to visit the accident site to accommodate certain religious practices. Visits to the accident site, and accommodation and care of the families and the survivors at the accident site, are humanitarian components of family assistance. This can be one of the more immediate requirements following an accident and should be arranged in close coordination with the accident investigation authority and/or the judicial authority. When a visit to the accident site is not possible due to safety or accessibility concerns, it is suggested that photographs or videos of the site be provided to families and survivors. Arrangements may also be made for mementos, flowers or similar items to be transported to the accident site.

6.20 **Privacy and security.** The need for privacy for the families and the survivors is normally recognized by air operators and airport operators and should include shelter from public gaze and questioning, as well as protection from specific groups attracted to an accident environment, such as media representatives and attorneys. There may be survivors and family members who wish to speak to the media and their right to do so should not be discouraged. Similarly, even though attorneys may be dissuaded from contacting family representatives, some families may wish to seek legal counsel. In their efforts to provide effective privacy, family assistance providers must take care not to infringe on the rights of those whom they seek to protect. For example, one State has enacted legislation prohibiting attorneys and their agents from engaging in unsolicited communication with the families and the survivors for 45 days following an accident.

6.21 Family assistance plans should include provisions to ensure the privacy of family members and survivors at the departure point of the aircraft, at its intended destination and in the vicinity of the accident site.

6.22 **Legal advice.** Families will appreciate any impartial information made available to them on relevant legal issues. The preparation of an information leaflet or similar guidance material would be a worthwhile supplement to the overall family assistance plan.

6.23 **Liaison with families.** Liaising with the families and the survivors to explain the roles of the various agencies involved and the progress made during the post-accident activities is an effective method of building rapport.

6.24 **Memorials and memorial services.** Liaising with the families in the planning of memorial services and memorial structures is important. Memorial services are normally non-denominational and may be held in conjunction with the interment of any unidentified remains.

6.25 **Family associations.** The family members impacted by the accident may wish to create an association in order to meet their specific needs, such as sharing experiences, arranging memorial services and exchanging information. While government agencies and the air operator should consider supporting the establishment of such associations, the initiative to start a family association must originate with the families and the survivors and not with the State or air operator.

6.26 **Provision of information about the accident investigation.** The accident investigation authority should be in a position to provide information about the progress of the investigation at specific times throughout the investigation, and at the conclusion of the investigation (refer to paragraphs 3.30 through 3.32). Requests for cockpit voice recorder recordings and/or transcripts should be referred to the accident investigation authority. To this end, attention is drawn to paragraph 3.31 of Chapter 3 regarding non-disclosure of records, addressed in Annex 13 and any applicable State regulations.

6.27 **Cultural considerations.** Cultural considerations are important factors in the preparation of a family assistance plan. The requirements for the treatment of the victims' remains may involve distinct and specialized considerations, as may the provision of memorial services and the design of memorial structures to those who perished in an accident. To assist States in their consideration of the cultural issues which may arise, an example of one air operator's guidance to its staff members on the laws, customs and culture at international destinations is provided in Appendix 3 to this document.

STEP THREE — DETERMINE THE AGENCIES THAT WILL PROVIDE THE ASSISTANCE

6.28 **Suitability of personnel providing family assistance.** In assigning persons to provide family assistance, consideration should be given to religious and cultural aspects, such as age, gender, and language proficiency, religion, and the suitability of the persons chosen. Where necessary, an interpreter should be provided. In many cases, personnel who would normally be well-suited for family-assistance tasks will have to attend to their normal duties. Some of the air operator's personnel may be in shock from the loss of friends in the company. Company personnel may also have a feeling of responsibility or guilt in connection with the accident, and this may interfere with their performance in the event of personal contact with family members. In this respect, utilizing company personnel to provide assistance should be carefully considered and assigning personnel who have been seriously affected should be avoided.

6.29 The sharing of resources amongst different agencies may help in overcoming some of these obstacles. Some air operators have developed emergency response teams that they are prepared to make available to another operator at a time of loss, particularly when there is an association, such as code sharing or an alliance.

6.30 **Confirmation of involvement.** The air operator, using dedicated telephones answered by trained persons, normally provides the initial confirmation of the involvement of victims in an aircraft accident. The telephone numbers should be toll free for calls within the State, but access problems dictate that alternative (non-toll-free) numbers be provided for incoming foreign calls. The necessary pre-planning and personnel training required for this task are expected of air operators as part of their accident response planning. Planning for the rapid setting up of a facility to provide information will help to build rapport with the families. Some air operators have established comprehensive emergency response centres, which other operators may retain to handle the initial phase following an accident. Because a significant number of telephone inquiries are made by relatives of air operator personnel, some air operators have found it necessary to have a "call-home" procedure. The "call-home" procedure requires air operator personnel on duty to call home when they receive notification of an accident in order to confirm to their families that they were not involved.

6.31 Experience has shown that the number of telephone inquiries following a major aircraft accident can exceed 50 000 in the first 24 hours. Ideally, each of these inquiries should be answered promptly. Callers with inquiries