

Doc 9973  
AN/486



# Manual on Assistance to Aircraft Accident Victims and their Families

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Approved by the Secretary General  
and published under his authority

First Edition — 2013

International Civil Aviation Organization



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# 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).
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## 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>.
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# 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.

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## 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.

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## 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.

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## 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.

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## 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



regarding a victim should be referred, with as little delay as practicable, to a person who has both the required information and the necessary training to respond appropriately.

6.32 **Provision of information.** The initial provision of information to the families after the occurrence of an accident will be almost entirely by the air operator. Subsequently, the provision of information by the various agencies involved may become the responsibility of the coordinator/coordinating agency. The coordinator/coordinating agency has direct contact with each of the agencies involved and is therefore best suited to provide up-to-date information and act as liaison, as well as a buffer, between the families and the agencies involved. In cases requiring prolonged liaison with the families and the survivors, the responsibility for coordination should be delegated to a government agency. The use of dedicated websites and other media, as well as conference telephone calls, are excellent means of disseminating information rapidly and have been used successfully following major accidents.

6.33 **Identification, custody and return of human remains.** The authorities involved in recovering, identifying and returning human remains may include coroners, police, the military, public health offices, ambulance services, air operators, morticians and special contractors. As regular providers of such services, these agencies are well versed in the delicate protocols involved. Guidance for disaster victim identification is available on the INTERPOL public website at: <http://www.interpol.int/INTERPOL-expertise/Forensics/DVI>.

6.34 **Protection, processing and return of personal effects.** After a large accident has occurred, many agencies may be involved in the recovery of personal effects from the accident site. The police, search and rescue personnel, authorities responsible for victim recovery and identification, the air operator and members of the public may all have access to the personal effects of the occupants. The police, authorities responsible for victim recovery and identification and the air operator may collaborate to store and return personal effects to their owners. Normally, the air operator is responsible for the storage, cleaning and return of personal effects. The nature of some investigations may dictate that relevant personal effects are held until the investigation is complete.

6.35 **Counselling.** Commercial entities and aid agencies that specialize in crisis counselling commonly provide this service. For example, one State has employed an aid agency to coordinate the provision of counselling services.

6.36 **Immediate financial assistance.** The air operator involved should be aware of the need to provide immediate financial assistance to the families and the survivors. In some States, legislation may provide for advance payments to be made.

6.37 **Immigration and customs formalities.** The immigration and customs authorities should have standard procedures for dealing with the repatriation of the survivors of an accident and the return of human remains to the home State. These procedures may have to be reviewed to ensure that they are suitable for accidents involving large numbers of people. The coordinator/coordinating agency should ensure that immigration and customs authorities are familiar with the provisions in Annex 9, Chapter 8, Section I. *Assistance to aircraft accident victims and their families*.

6.38 **Involvement of diplomatic and consular staff.** Since diplomatic and consular staff will have a supporting role to play, their involvement in family assistance plans will optimize the support available from these sources.

6.39 **Visits to the accident site.** The planning for visits to the accident site and the escorting of families and survivors will normally be arranged by the air operator in close coordination with the accident investigation authority and/or the judicial authority and other authorities, e.g. those responsible for victim recovery and identification.

6.40 **Privacy.** Some airport operators provide for post-accident privacy for the families and the survivors in their emergency response planning. In the case of major accidents, air operators may have to seek suitable accommodation in which to sequester the families at the departure point of the aircraft, at its intended destination and in the vicinity of the accident site. This may involve reserving all the rooms in several hotels. The cooperation of the media may be enhanced by providing them with a dedicated area, scheduling regular briefings on the progress of the investigation and assuring

them that they will be advised of any survivors or families who wish to talk to the media. It is advisable to arrange for separate hotels for the families of deceased victims, the families of survivors and family assistance personnel.

6.41 **Legal advice.** Where necessary, specific legal advice to the families and the survivors will ultimately be provided by their chosen legal representative. Nevertheless, information on the general areas in which the survivors and the families may require legal assistance will often be appreciated prior to the selection of a legal representative. The preparation of this type of information may be entrusted, in advance of any accident, to a neutral agency or entity, such as a bar association.

6.42 **Liaison with the families.** Initial liaison with the families is the responsibility of the air operator until immediate concerns have been dealt with. The provision of information may be shared with or transferred to the coordinator/coordinating agency over time (refer to paragraphs 5.5 and 5.6). To facilitate liaison, relevant information should be provided to the coordinator/coordinating agency from such agencies as the coroner, the police, the air operator, the accident investigation authority and the civil aviation authority. While some of these agencies may wish to deal directly with the families and survivors, others will wish to keep their distance and objectivity and will therefore rely on liaison officers to present prepared briefings.

6.43 **Memorial services and memorials.** The planning for memorial services and the erecting of memorials will be the responsibility of the air operator but may also involve the State of Occurrence. Experience has shown that it is advisable for the content and form of the memorial services and the memorials to be determined by or in coordination with the families. While memorial services and the erection of memorials are not standard features of a family assistance plan, they have proven to be appropriate following some large accidents, particularly where the recovery or identification of a number of victims has been impracticable.

6.44 **Provision of information about the accident investigation.** The accident investigation authority should be in a position to provide information about the investigation (refer to paragraphs 3.30 through 3.32). Response to requests for cockpit voice recorder recordings and/or transcripts is the responsibility of 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.

#### **STEP FOUR — DRAFT THE PLAN**

6.45 States should rely on specific planning and resources from other States, air operators, airport operators, third parties (e.g. non-governmental aid agencies and commercial companies) and family associations. States should also establish memorandums of understanding, agreements and/or contracts with other States, as well as departments, agencies, associations and organizations that can provide support for the development, preparation and implementation of a family assistance plan.

6.46 The drafting of a family assistance plan will also require input from the service providers and financial stakeholders involved in the provision of the required assistance. Representatives of the agencies normally engaged in projects involving the expenditure of government resources should also participate.

6.47 The family assistance plan may form the basis for empowering legislation. In such cases, the legislation should outline the plan and address the practicalities of implementing the plan.

6.48 There are several ways to tackle the drafting of an assistance plan, including by:

- a) engaging consultants to prepare a plan after all interested parties have decided on:

- 1) the amount and types of family assistance that the State considers appropriate;
  - 2) the agencies that will provide family assistance;
  - 3) the provision of the resources required to provide family assistance;
  - 4) the means of funding a family assistance plan; and
  - 5) the training required to provide family assistance;
- b) contracting a panel of experienced persons to formulate the family assistance plan and draft the legislation, regulations and/or policies necessary to implement it; and
- c) adapting the existing legislation, regulations and/or policies and family assistance plans of another State.

6.49 A detailed plan, which other States might find suitable to adapt to their particular circumstances, is available at: <http://www.nts.gov/doclib/tda/Federal-Family-Plan-Aviation-Disasters-rev-12-2008.pdf>. Extracts from this plan are provided in Appendix 2.

6.50 The adaptation of such a document would benefit from input from persons who have had first-hand experience with aircraft accidents in which similar family assistance plans were used. Representatives from the agencies and organizations that will be involved in the implementation of the resulting family assistance plan should also be involved.

6.51 During the development of their family assistance plans, States should take due account of the experience and support that family associations can provide.

#### **STEP FIVE — REVIEW THE PLAN**

6.52 Any plan that has the potential to involve large-scale expenditures of resources should be reviewed and refined to the extent practicable before it is adopted by a State.

6.53 A plan can best be reviewed by conducting tabletop exercises involving all the expected participants. This should be followed by a review of the areas in which improvements are required.

6.54 In addition to tabletop exercises, specific aspects of the plan may be exercised in practice in order to review:

- a) the practicality of the system to be used to disseminate information;
- b) the ability to provide a secure area for grieving family members and friends;
- c) coordination of the activities of the agencies involved;
- d) the means of recruiting large numbers of suitable personnel at short notice; and
- e) the practicality of any resource-sharing arrangements.

6.55 The review may reveal conflicts and misunderstandings, particularly where regional and federal agencies are involved and where responsibilities are seen as the province of several agencies or jurisdictions. It is necessary to resolve any such issues before implementing the plan.

#### **STEP SIX — IMPLEMENT THE PLAN**

6.56 The potential cost of providing family assistance after a major accident is likely to be substantial and therefore prior approval for the expenditure of significant resources is essential. Family assistance is of such importance that it is likely to require national legislation, regulations and/or policies to ensure that the necessary resources and commitment are available at short notice.

6.57 The drafting of appropriate legislation, regulations and/or policies will be facilitated by the existence of a practical family assistance plan. Legislation may also be enacted to define the responsibilities of family assistance providers, e.g. the air operator and third-party aid agencies.

6.58 Examples of State legislation, regulations and policies for the provision of family assistance are contained in Appendix 1.

#### **STEP SEVEN — EXERCISE THE PLAN PERIODICALLY**

6.59 Periodic exercising of a comprehensive family assistance plan is an expensive but necessary insurance against unforeseen difficulties. Once the plan has been approved, provisions should be made for an annual tabletop exercise (or practice) to ensure that changes in personnel or circumstances do not reduce the efficacy of the plan. Airport emergency response drills may serve as an opportunity to test and refine the family assistance plan.

6.60 The agencies and personnel involved in the provision of family assistance, as well as the air operators flying into a State, will change from time to time. Therefore, any plan involving these agencies and personnel must be reviewed frequently and conscientiously to ensure that the key participants are still available at the specified contact point and are still able to provide the resources expected of them. States should endeavour to make frequent checks to confirm that all of the resources committed to the plan are still available and that the contacts for their activation are current.

6.61 Few States will ever need to activate a full-scale family assistance plan, and there are likely to be only a few occasions when it needs to be activated at all. Very few States will have resources that are dedicated exclusively to providing family assistance. Most personnel and agencies providing this assistance have other duties that will have to be temporarily suspended when the plan is activated. The challenge for any plan that involves a significant response at short notice is for the personnel and agencies involved to be readily reachable and able to respond.

6.62 An effective family assistance plan relies on a core of specially trained staff to ensure its reliability. Engaging persons whose normal activities involve other types of emergency response, or the detailed organization of large events, can assist in maintaining a pool of trained and properly motivated personnel.

6.63 Family assistance plans of air operators and airport operators should be audited by the respective civil aviation authorities or other appropriate authorities, as necessary and in accordance with the requirements specified in national legislation, regulations and/or policies.

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# Chapter 7

## CONCLUSION

7.1 Following an aircraft accident, family assistance plans should compassionately address the needs of family members and survivors by providing information and access to a variety of services. Developing and implementing a family assistance plan speaks to the care and concern that an air operator has for its customers and crew members. It also addresses the public and political perceptions about the air operator caring for those affected by the accident.

7.2 Family members and survivors have fundamental needs which must be addressed by family assistance plans. These needs include:

- a) initial notification and immediate information regarding the accident;
- b) information about the status and location of the victims, whether they are living or deceased. This includes the search and rescue of survivors, hospitalization, search and recovery of the deceased, identification of remains, death certifications and the repatriation of remains;
- c) access to resources, such as disaster mental health counselling, spiritual and/or religious support, short-term financial assistance, travel to the accident location, etc.;
- d) information regarding the progress of the accident investigation and related investigations, such as associated medico-legal and criminal investigations; and
- e) information regarding the search, recovery, processing, claim and return of personal effects.

7.3 Family assistance response is a complex process involving the air operator, airport operators, government agencies, local responders and third parties. A collaborative approach with all responding groups understanding their responsibilities and working towards the same goals will result in a more effective response.

7.4 Preparation through planning and exercises will ensure a more efficient and effective family assistance response.

7.5 This document should assist States in preparing for the responsibilities that must be assumed by the State of Occurrence of an accident. Similar responsibilities may be thrust upon States when they are the nearest State to the site of an accident that occurs in international waters. Similarly, the delegation of the investigation of an accident to another State by the State of Occurrence does not necessarily absolve the State of Occurrence of the humanitarian responsibility of ensuring that appropriate family assistance is made available.

7.6 Consolidation of the planning process by the enactment of appropriate legislation, regulations and/or policies to provide the necessary authorization and funding for family assistance plans is the culmination of a worthwhile humanitarian endeavour. The provision of the family assistance envisaged in ICAO Assembly Resolution A32-7 and the *ICAO Policy on Assistance to Aircraft Accident Victims and their Families* (Doc 9998) should be supplemented by air operator and airport operator preparedness for such events and the assistance of international aid agencies well versed in responding to a variety of disasters.



## **APPENDICES**





## **Appendix 1**

### **EXTRACTS FROM FAMILY ASSISTANCE LEGISLATION IN SEVERAL STATES**

This appendix contains extracts from family assistance legislation in the following States:

- a) Australia;
- b) Brazil;
- c) China;
- d) European Union;
- e) Japan;
- f) Republic of Korea; and
- g) United States.

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**AUSTRALIA**  
**DEPARTMENT OF INFRASTRUCTURE, TRANSPORT,**  
**REGIONAL DEVELOPMENT AND LOCAL GOVERNMENT**  
**FAMILY ASSISTANCE CODE**

**Family Assistance Code**

The Code for the Preparation of Airline Family Assistance Plans has been drawn up in consultation with the civil aviation industry and response agencies.

The code sets out Australia's minimum standards with regard to airlines operating to, from, and within Australia in rendering assistance through their Family Assistance Plan to victims, and the families of victims, in the event of a major civil aircraft accident involving loss of life, and serious injury.

Adoption of the Code is voluntary, not mandatory, however the Department of Infrastructure, Transport, Regional Development and Local Government advocates its use by airlines.

The introduction of mandatory compliance will be considered in the event that voluntary adoption proves ineffective.

**Introduction**

Recent years have seen an acknowledgment that an aircraft accident involves not only victims of the accident, but also extends to the distress and pain suffered by the families of victims.

International experience confirms the need for distinct and sensitive treatment of victims, and the families of victims, involved in an air carrier accident. This has received explicit international recognition with the publication by the International Civil Aviation Organization (ICAO) of Circular 285, *Guidance on Assistance to Aircraft Accident Victims and their Families*.

In the event of a civil aircraft accident in Australia, State and Territory agencies have well established and effectively maintained emergency response plans, supported, if required, by resources of the Commonwealth Government, coordinated through Emergency Management Australia (EMA). All licensed airports are required to adopt and regularly practise Airport Emergency Plans (AEPs) in conjunction with relevant emergency response authorities and airlines. The Commonwealth, through the Department of Infrastructure, Transport, Regional Development and Local Government, the Australian Transport Safety Bureau (ATSB), the Civil Aviation Safety Authority (CASA), Airservices Australia and Australian Search and Rescue (AusSAR), also has emergency plans to deal with, and respond to, issues associated with an aviation emergency. If there are fatalities involved, the State or Territory Coroner will have a major role. In most cases, State or Territory Police will be in initial control of the site.

However, while response agencies can provide some immediate assistance as a result of an aircraft accident, the principal responsibility for assisting victims and their families rests with the air carrier.

**Objectives**

The Code provides guidance for the development of a family assistance plan by all regular public transport (RPT) and charter operators providing passenger services to, from or within Australia. A written assurance is sought by the Department from all applicable operators that such a plan has been developed, and arrangements central to the operation of the plan are in place.

## **Scope**

### **Meaning of victim**

For the purposes of this Code, a victim is an occupant of a civil aircraft, or any person outside the aircraft, who is unintentionally directly involved in the aircraft accident. Victims may include the crew, paying passengers, non-paying passengers and third parties. A survivor is a person who is not fatally injured as a result of the accident (ICAO Circular285-AN/166).

### **Application to Australian airlines operating overseas**

The Code establishes the minimum standard expected of airlines operating in Australian territory. The Family Assistance Plans of Australian international airlines should provide, as far as is possible, similar assistance to victims and/or families of victims in the event of an accident in a foreign country.

As would be the case for foreign airlines operating in Australia, it is expected that Australian international airlines would enter into appropriate arrangements with partner airlines, or other bodies, to provide assistance measures in the country where the accident occurs. It is also expected that the airline would establish a major coordination centre in Australia to facilitate contact with Australian authorities and/or families.

### **Application to Australian regional airlines**

The Code has been prepared by drawing on international experience, focussing on international or high capacity airline operations. Australian regional airlines or charter operators have no less a responsibility towards the victims of an accident, and should be prepared to use the Code in order to establish a Family Assistance Plan appropriate to its individual circumstances.

### **Applying the Code**

The operating carrier is responsible for all passengers on board, including those of any code share partners. Nevertheless, airlines operating on a code share basis only (i.e., solely as a non-operating carrier in the Australian market) are also expected to adopt a Family Assistance Plan in line with this Code. In such a case, the Plan would need to focus on the assistance that would be provided by the operating carrier. To meet the minimum code requirements, some airlines may choose to rely on commercial or other agreements with partner airlines, or with service providers.

It may also be prudent for airlines to establish arrangements with airport operators for the use of physical infrastructure at an airport in the provision of aspects of family assistance.

The Code emphasises that the airline retains the prime responsibility to ensure that the family assistance services can be delivered in a timely and appropriate fashion. The method of service delivery is, however, for the airline to determine.

### **Coordination with other agencies**

The Department can assist airlines in making contact with relevant agencies and with the provision of basic information about the provisions of the Family Assistance Code. Enquiries should be directed to the Assistant Director, International, Aviation Markets. In the event of a major civil airline accident involving fatalities, State and Territory agencies will be responsible for dealing with the crash site in terms of emergency response, coronial requirements and site remediation. The primary authority for the investigation of the accident will be the Australian Transport Safety Bureau (ATSB) for a civilian aircraft accident and the Australian Federal Police for a civilian aircraft crash involving terrorism or other unlawful interference.

In the event of a major civil aircraft accident, the airlines Family Support Co-ordinator will liaise with the ATSB, normally through the Deputy Investigator In Charge, to arrange briefings and site visits where the nature of the accident permits. The airline should make contact with this officer, as soon as possible after an accident by telephoning 1800 020616.

### **Airlines' responsibilities**

#### *1. Appointment of a designated person in Australia as a Family Support Coordinator*

The Airline Family Support Coordinator is an essential part of the immediate response to the accident. The Family Support Coordinator provides the communication link between the airline, relevant emergency and welfare services, victims and their families, as well as providing services direct to victims and families. Arrangements need to be made to ensure that the Family Support Coordinator has sufficient support from the airline.

Arrangements shall be made to quickly establish an effective Airline Family Support Centre, including ensuring access to suitably trained staff.

#### *2. Infrastructure requirements*

A plan to establish links with the relevant emergency response and service organisation/s responsible for the crash site and victim support immediately an accident occurs. Linking the airline plan to Airport Emergency Plans (AEP) is one means of achieving this. As all relevant response agencies participate in the AEP process, airlines, response agencies and welfare authorities are all encouraged to build strong relations with one another to ensure currency of information on key personnel.

It is normal practice for airlines to establish an Airline Crisis Management Centre in the event of a major accident. The purpose of the Centre is to provide co-ordination within the airline, and between the airline and relevant authorities, as well as provide information to the public. Its physical location should be a matter for the airline, but a foreign airline needs to ensure that it is readily able to communicate with Australian response agencies.

Separate from the Crisis Management Centre, the airline should establish an Airline Family Support Centre to provide the coordination services necessary for the family support function, and to ensure that suitably qualified or trained personnel, skilled in sensitively and empathically dealing with the needs of victims, and their families, are available to staff the centre. The airline should ensure that the Family Support Coordinator has strong support from, and links to, the Airline Crisis Management Centre. The nature and location of the Centre, or any other facilities intended to provide services to victims or families, is a matter for the airline. The airline should give consideration to providing appropriate assistance to families who may gather at the departure and/or arrival airport. However, the airline may consider that the best option is to promptly obtain space, including rooms for families, in a near-by hotel.

Overall, the airline must understand that a substantial commitment is required of itself, or the service provider, to have available suitably trained and experienced staff at short notice, as well as procedures in place to quickly establish a Family Support Centre.

#### *3. Information management*

The availability and management of information is vital for an effective response to an accident, including the provision of information to families. It will be important to get the balance of information right, therefore close coordination within the airline, and with accident investigation authorities and State and Territory response agencies regarding any statements in relation to the accident, will be essential.

With regard to information on the passengers involved, including names of any deceased, it is important that the airline work closely with the State or Territory Police in charge of the accident site as, in Australia, the Police in association with

Coroners are responsible for notifying next of kin in the event of death. In a mass fatality incident, the Police DVI units across Australia have protocols with Interpol for advising the relevant authorities within that persons country.

In the event of an aircraft accident, airlines should:

- provide a passenger manifest, with all available information (including seating), to the Police without delay, and assist, as appropriate, in the collection (subject to applicable privacy laws) of additional information. A copy of this information should be provided to the ATSB. It would be preferable if the manifest is not released directly to the public or the media by the airline. Rather, the airline should consult with the Police on the appropriateness of releasing information in the period immediately following the accident;
- in consultation with police, provide accurate and appropriate information to the families of victims, the media, other interested parties and the general public, whilst recognising and appreciating the interests of survivors and the families of victims.

The families of victims of an aircraft accident expect to be kept fully informed about what happened, and why it happened, in order to make sense of their loss. Every effort should be made to ensure that victims and families are informed of key information about the accident, or its probable causes, before the information is released to the public. The Airline Family Support Coordinator needs to establish close links with the ATSB for this purpose.

*Briefing with respect to the conduct and progress of the accident investigation will be carried out by the ATSBs Investigator in Charge and where possible notified to families prior to being made public.*

Airlines should provide a 24-hour a day contact arrangement for the families of victims, in addition to a system to deal with the information demands of the public. The arrangements to be put in place, including the duration, will be a matter for each airline. However, overseas experience has shown that the number of telephone enquiries following a major aircraft accident can be substantial.

A broadly publicised free telephone number may not be optimal as the main point of public contact. It could be very easy for an airline to be overwhelmed by the number of calls, and may encourage nuisance calls. A filtering or screening process, to identify callers with a genuine interest in, or relationship to, victims, could be implemented. Nevertheless, the airline should move quickly to provide an effective mechanism to deal with large numbers of inquiries — not only to the airline itself, but also to its offices at the destination, and/or arrival airport. This mechanism should also be able to deal effectively with the likely range of languages spoken by the families of victims.

The establishment and publicising of an Internet site, through which the public can make enquiries and view the most recent information, could lessen the number of public telephone inquiries, and is recommended.

*Airlines should establish procedures to recognise and deal with an appropriate family member to represent the interests of the family of any victims.*

The identification of the appropriate person to represent the interests of the family may not always be straightforward, and the airline should have procedures in place that recognise the importance of handling this task with appropriate sensitivity. These procedures need to pay appropriate heed to cultural differences.

Once a genuine caller is identified, consideration should be given to utilising a separate, non-publicised, free telephone number to facilitate contact with the airline.

Often there will be international passengers involved and different countries will have different requirements for providing advice to next of kin. DFAT can assist with notification to Australian citizens who reside, or are travelling, outside Australia. This should be taken into account in developing the Plan.

For those Australian airlines operating overseas, special care needs to be taken regarding procedures for notifying next of kin of foreign nationals as practices and cultural expectations vary widely.

*Airlines should be prepared to assist responsible authorities in data collection.*

Following an aircraft accident, the most immediate form of family assistance is the confirmation of family members amongst the victims who were on board the aircraft.

Most airlines flying into Australia now collect or process, through their booking and flight check-in systems, a range of data on passengers, including passport details for each flight. This is often undertaken as part of Australia's visa requirements. In developing their procedures for releasing any data held to responsible authorities, airlines need to pay close attention to relevant privacy laws. In Australia, close cooperation with police and response agencies is essential in regard to this issue.

In relation to trans-Tasman flights, the Department of Immigration and Multicultural Affairs (DIMA) has access to the Australian and New Zealand passport databases, and may be able to assist authorities in identification of Australian and New Zealand citizens.

### **Disaster victim identification**

Responsibility in Australia for victim identification and notification of deaths to the next of kin rests solely with the Police assisting Coroners. As such, in releasing identifying data, the airline would need to work closely with local police authorities, and specifically the Police Disaster Victim Identification (DVI) experts, in order for the police and DVI to properly identify victims. In the case of foreign nationals, advice should be sought from DFAT and/or the appropriate diplomatic missions on how notification of relatives should be made. Airlines should also be aware that diplomatic and consular staff will have liaison and coordination roles in relation to their citizens and early contact with relevant diplomatic missions should form part of each airline's Plan.

In the case of an accident outside Australia, early provision of a passenger manifest to DFAT is essential, as that Department is responsible for providing consular assistance to Australian victims and their families. An Australian consular representative would be available at the Airline's Family Support Centre, and at the crash site, to assist Australian victims, and family members, who may travel to the site when it is safe to do so.

#### *4. Financial, logistical and emotional support*

Airlines need to accept a range of responsibilities to provide direct support to victims, and the families of victims. It needs to be borne in mind that Australian law provides that the carrier is strictly liable for death or injury of the passenger.

*In the event of the death of a passenger, airlines should offer an advance payment to the family as soon as practicable after the event.*

The financial strain faced by victims and their families in the aftermath of an aircraft accident could be minimised through the provision of an up-front payment, by the airline, to those entitled to compensation as a result of the accident. This form of payment is becoming standard practice in the industry and is made as a gesture by the airline to the family of the victim in cases of financial hardship caused by the loss of the principal earner.

It is recognised that the airline may have difficulties in identifying the appropriate family members, but clearly defined cases (e.g., where the victim is the principal earner) should present few such difficulties, and also demonstrate the necessity of these payments.

The amount of the advance payment would depend on the circumstances, but airlines are encouraged to give sympathetic consideration to the needs of the families of victims. As an example, the European Community has mandated a minimum advance payment, in the event of death, of approximately A\$30,000.

This payment would be an advance from the eventual passenger liability damages claim on the airline, and it should not be presented to family members as final settlement of liability.

*Airlines should provide financial and administrative support to families wishing to travel to the crash site (where appropriate and practicable).*

Where access is practical, a visit to the accident site by the families, and the survivors, has become a common practice as part of the grieving process. Active encouragement of families to attend the crash site is not recommended. However, where families have a desire to visit the crash site, airlines should provide financial and administrative support, including assistance with travel and accommodation.

It is acknowledged that, in some locations, travel and/or accommodation could pose problems, and that airlines will require discretion in determining which, if any, family members should attend the crash site. However, airlines should remain mindful of the cultural/religious needs of the family, and possibly seek the advice of suitably qualified professionals before making limiting decisions. In all cases, authorities responsible for managing the crash site need to be consulted. In Australia, the ATSB will appoint an appropriate person to consult directly with the airline before it makes any commitment with respect to a site visit by families.

While the ATSB recognises the need for families to be able to view the accident site, access may be restricted for a number of reasons, including the hazardous nature of the site. Nevertheless, the ATSB will make every effort to assist families with some form of site access.

*A range of counselling services should be made available to survivors, their families and the families of deceased persons.*

Counselling for the families and the survivors is likely to be a major task for the airline, and could be very important to those in need. The support can vary, from providing common-sense advice on dealing with the practical aspects of life after the accident, to more significant health care. Airlines may not have sufficient counselling resources, and may need to have in place arrangements to obtain the services of suitably qualified professionals. The Family Support Plan should detail how the airline would propose to meet these needs, and should highlight also the importance of close liaison with support services provided by voluntary organisations such as the Red Cross as well as government agencies.

*Ongoing support to survivors, and the families of victims, must be anticipated.*

An accident may result in significant long-term effects of an accident on survivors, and their families, and on the families of victims. Individual cases, including identification and return of remains, legal issues and family contact may all become long-running matters. The provision of sufficient resources and effective tracking of issues and cases need to be maintained. This ongoing support, for a period of years, if necessary, needs to be considered. No end point to this support for survivors or families can be mandated, but airlines could look to the final liability settlement as a guide.

The provision of support might mean the provision of a telephone number where families can obtain support and advice as the need arises. At a minimum, it means a long-term commitment by the airline to continue to facilitate support from qualified counseling staff.

In addition, the investigation of the accident may take more than a year to complete, and the regular provision of progress reports by the ATSB will assist families through their grieving processes. The ATSB will provide a Preliminary Factual Report within 30 days and normally Interim Factual Reports at 6-monthly intervals thereafter, until the final report is drafted.

*Airlines are responsible for the return of remains to the families of victims, or delegated persons.*

Airlines need to be prepared to work closely with the response agencies, and the authorities responsible for the crash site, to ensure that the families of victims are kept informed about release of remains.

On gaining clearance from the Police and the Coroner, airlines are responsible for the return of a victim's remains, personal effects, and all other baggage.

Baggage and/or freight may need to be retained by the police or the ATSB for investigative purposes. The Police, in consultation with the Coroner, will control the release of personal effects, and any release to victims, or the families of victims, will require their approval. The airline should arrange for the early return of checked in baggage if no longer required by investigators.

*Airlines need to be prepared to involve families in the process of commemoration and memorials.*

Families need to be assured that they will be able to participate in any memorial services held after the accident, and that they will have the opportunity to be involved in the design of any memorial structures erected in memory of the accident victims. Airlines should give consideration to how they handle these issues, and put in place a protocol on how this will be handled at the time of an accident.

*Airlines need to pay heed to cultural issues.*

A Family Assistance Plan needs to be particularly sensitive to cultural issues associated with the loss of loved ones. Airlines are encouraged to take special steps to understand the cultural issues applying to the main markets in which they operate.

Last updated: 16 June 2008

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**BRAZIL**  
**AERONAUTICS COMMAND, CIVIL AVIATION DEPARTMENT,**  
**SUBDEPARTMENT OF AIR SERVICES, INSPECTION DIVISION**  
**CIVIL AVIATION INSTRUCTION, IAC 200-1001**

**ASSISTANCE PLAN FOR AERONAUTICAL ACCIDENT VICTIMS AND SUPPORT TO THEIR FAMILIES, 2005**

**THE DIRECTOR-GENERAL OF THE CIVIL AVIATION DEPARTMENT**, based on Decree No. 65.144, of September 12th, 1969, which institutes the Civil Aviation System of the Ministry of Aeronautics, and in view of what is provided in Governmental Decree No. 453/GM-5, of August 2nd, 1991, which reformulates the Civil Aviation's Flight Safety System, determines:

Art. 1 That the IAC discriminated below may be put into effect: IAC 200-1001.

Title: Assistance Plan for Aeronautical Accident Victims and Support to their Families.

Art. 2 That this Governmental Decree takes into effect on the date of its publication in the Diário Oficial da União (Federal Register).

Art. 3 That the Governmental Decrees no. 18/DGAC, published in the DOU no. 40, of February 25th, 2000 and Governmental Decree no. 19/DGAC, published in the DOU no. 52, of March 16th, 2000 are revoked.

**AF Brig Maj JORGE GODINHO BARRETO NERY**  
**General-Director**

PUBLISHED IN THE DIÁRIO OFICIAL DA UNIÃO (FEDERAL REGISTER) No. 150, OF AUGUST 5th, 2005

**INTRODUCTION**

The occurrence of an aeronautical accident may provoke a tragedy of great proportions, wherein the need of assistance to the victims and support to their families is recognized. This document establishes the basic actions under the responsibility of the national and foreign Airline Companies that use public air transport of passengers in Brazil, to provide such assistance and manage the services that must become immediately available to the victims and the support measures to their families.

In the face of the misfortunes caused by the aeronautical accident, the important task of informing about the passengers and the flight crew, responding to inquiries from their families, seeking to meet their immediate needs falls on the Airline Company for public aerial transport.

The Plan of action, to be elaborated by the Airline Companies, should be guided by the basic ideas contained in this IAC, which was formulated based on the orientations of the ICAO Circular no. 285-AN/166, aiming at standardizing the procedures to be adopted in the case of aeronautical accident.

**1 PRELIMINARY PROVISIONS**

**1.1 PURPOSE**

To establish the guidelines for the elaboration of the Assistance Plan for Aeronautical Accident Victims and Support to their Families.

## 1.2 BASIS

Decree no. 65.144, of 09/12/69, which institutes the Civil Aviation System of the Ministry of Aeronautics and Governmental Decree no. 453/M5, of 08/02/91, which reformulates the Flight Safety System.

## 1.3 APPROVAL

Approved by Governmental Decree no. 706 /DGAC, of July 22, 2005.

## 1.4 AVAILABILITY

D – SR – IA – IF – SA – TD – INTERNET

## 1.5 CORRELATIONS

ICAO CIRCULAR 285-AN/166

## 1.6 CANCELLATION

Governmental Decree no. 706/DGAC, of July 22, 2005, which approves this IAC 200-1001, revokes Governmental Decrees no. 18/DGAC, of February 25, 2000 and Governmental Decree no. 19/DGAC, of March 16, 2000.

## 2 GLOSSARY

The definitions of the technical terms used in this IAC are available for consultation in MMA 58-1 Civil Aviation Glossary of Technical Terms, of September 20, 1989.

## 3 INFORMATION OF PASSENGERS ON BOARD

### 3.1 AIRLINE COMPANIES

The national and foreign Airline Companies that use public air transport in Brazil should request from each passenger on board, in domestic as well as in international flights, from and to Brazilian territory, his full complete name and in correct order and the name of a person, who is not on board, with telephone number for contact in case of emergency, preferably a next of kin.

3.1.1 This information could be obtained from the time when the passenger makes his reservation until his boarding, which must be kept until the completion of the last part of the flight itinerary.

3.1.2 The adoption of the appropriate process or document for the capture of this information, where the record may be done electronically remains at the criteria of each Airline Company.

3.1.3 In case the passenger refuses to provide the information of the name and telephone number of the contact person in case of emergency, the refusal should be reported in a written document.

3.1.4 This information is confidential, which must be used by the Airline Company not only in case of aeronautical accident, but also in benefit of the passenger in case of personal emergency, where its use for any other purposes is prohibited.

After the Airline Company has taken note of an aeronautical accident, involving one of its aircrafts, it should prepare a reconciled list of passengers and flight crew of the damaged aircraft, within a period of three hours, for its own use and for the Aeronautical Authority, in case this requests it.

### 3.2 AIRPORT ADMINISTRATIONS

Airport Administrations must make use of all possible means to support the Airline Companies in the collection of the passengers' emergency contact information, according to item 3.1 of this Instruction.

## 4 ASSISTANCE PLAN FOR AERONAUTICAL ACCIDENT VICTIMS AND SUPPORT TO THEIR FAMILIES

4.1 National and foreign Airline Companies that use public air transport in Brazil should elaborate their respective Corporate Assistance Plans for Aeronautical Accident Victims and Support to their Families where the actions under their responsibility for providing assistance, services and information to victims and the support measures to their families will be established.

4.2 Each base operated by the Airline Company should have its Local Assistance Plan for Aeronautical Accident Victims and Support to their Families, which contains specific information and resources concerning the locality where it is established. The Local Plan content should be based on the guidelines established in the Airline Company's Corporate Family Assistance Plan, where in it must be reported, at least:

4.2.1 Contact name and telephone number of the base's emergency response team; and

4.2.2 List with name, address and telephone number:

- a) Airport administrative authorities;
- b) Local hospitals;
- c) Reference hotels in the locality;
- d) Religious representatives;
- e) Transportation companies;
- f) Civil and Military Police and Firemen;
- g) Civil Defense and assistance agencies;
- h) Federal Police and customs authorities (Federal Revenue Service and Sanitary Surveillance);
- i) Physicians;
- j) Psychologists;
- k) Consulates;
- l) DAC (Civil Aeronautics Department), SERAC (Regional Services of Civil Aviation) and Civil Aviation Section, if in national territory; and
- m) Funeral agencies.

#### 4.3 PROCEDURES TO BE IMPLEMENTED BY THE AIRLINE COMPANIES

- a) Conservation of the list of passengers on board, in confidential, until the dissemination to the public. The list of passengers on board could only be disseminated after the notification to the families, where it remains at the criteria of the Airline Company to make the partial dissemination, through notification process;
- b) Putting its Crisis Management Center in action;
- c) Putting its Special Assistance Center in action;
- d) Putting its Telephone Assistance Center in action, making available at least, an exclusive telephone number for free toll calls from families for the purpose of complementing the notification process;
- e) Establishment of its Family Assistance Center in the city of the accident, or the closest to it;
- f) Notification to the accident victims' families, by trained team, if possible personally;
- g) Making feasible the work of the teams involved with assistance, by providing communication, transportation, accommodation and food;
- h) Operationalization, in the affected airports, of reserved areas for the reception of survivors and families, by providing basic needs like: food, communication, seats and toilette;
- i) Assistance to victims and support to their families in the immigration and customs procedures;
- j) Connection with diplomatic and consular agents in case there may be foreign victim;
- k) Round-trip displacement of families up to the city, or closest area to the place of the accident;
- l) Provision of transportation for the survivors and families, according to the need, in the locality of the aeronautical accident, or to the area closest to this;
- m) Provision of accommodation, food, security, medical, psychological and religious assistance to the victims' families and survivors while in the Family Assistance Center;
- n) Receipt, identification and devolution to the one responsible for the recovered personal belongings;
- o) Organization of the visit to the place of the accident, in case requested by the families and as long as possible, maintaining the safety of the interested parties and through coordination with the local authority;
- p) Availability of updated information on the aeronautical accident to the victims and their families, in the activated centers;
- q) Provision of information regarding assistance actions to the victims and the families;
- r) Follow-up of the identification process and aid in the legal clearance of the bodies along with the competent authorities; and
- s) Transfer of the bodies for burial in the city of origin, or as requested by the family, if feasible.

4.4 PROCEDURES TO BE IMPLEMENTED BY AIRPORT ADMINISTRATIONS

- a) Availability of the Family Reception Center at the affected airports;
- b) Availability of the Survivor Reception Center at the airport of the aeronautical accident or serious incident;
- c) Availability of the Press Center at the affected airports;
- d) Sending and reception of survivors and families to the respective centers, if requested by the Airline Company, until it has conditions of assuming their operation; and
- e) Provision of security and access control in the activated centers.

4.5 The Local Assistance Plan for Aeronautical Accident Victims and Support to their Families should be available in the respective bases and in easy to access area, where there is the need of preparation of, at least, a printed copy, which should be of the knowledge of all its employees.

4.6 This Plan should be updated whenever there is any alteration, indicating the date of this review.

**5 FINAL PROVISIONS**

5.1 The Airline Companies should provide training of the present Plan to the staffs of their bases, according to what is provided in their procedure manuals, even with the execution of simulations.

5.2 The Airline Companies must coordinate, along with the support agencies and companies, their participations in the Local Assistance Plans for Aeronautical Accident Victims and Support to their Families.

5.3 The application of assistances provided in this IAC will be closed after the execution of all assistance procedures for victims, fatal or not, of support to their families and the carrying out of funeral ceremonies;

5.4 The Assistance Plan for Aeronautical Accident Victims and Support to their Families could form part of the Airline Companies' Corporate Emergency Response Plan.

5.5 Airline Companies that operate flights with shared code should know their plans mutually and coordinate joint actions in case of aeronautical accident.

5.6 Airlines Companies should present to the DAC their Corporate Assistance Plan for Aeronautical Accident Victims and Support to their Families, in the example of the present IAC, up to 180 (one hundred and eighty) days counting from the publication date of the present Instruction.

5.7 The cases not provided in this IAC will be submitted for the appraisal of the SSA Chief.

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**CHINA**  
**PROVISIONS ON THE EMERGENCY RESPONSE AND FAMILY ASSISTANCE**  
**RELATING TO CIVIL AIRCRAFT FLIGHT ACCIDENTS**

*Chapter I General Provisions*

Article 1 For the purpose of enhancing the abilities to respond to flight accidents of civil aircraft, alleviating the injuries of accidents, and providing the victims, survivors, missing persons and their families in such accidents with necessary assistance, these Provisions are formulated in accordance with the Civil Aviation Law of the People's Republic of China, the Work Safety Law of the People's Republic of China and the relevant provisions of the State Council.

Article 2 These Provisions shall apply to the serious accidents, which happen in any aircraft engaging in commercial operations under CCAR-121 and CCAA-135 within the territory of the People's Republic of China (excluding Hong Kong Special Administration Region, Macao Special Administrative Region, and Taiwan Region) and shall be investigated by the civil aviation administration department of the State Council, and the extremely severe civil aircraft flight accidents that shall be investigated upon authorization of the State Council.

Article 3 The following terms as mentioned in these Provisions are defined as follows:

The term "civil aircraft flight accident" refers to an accident that occurs during the course of public air transport associated with the operation of an aircraft between the time any person boards the aircraft with the intention of flight and such time as all persons have disembarked, in which a person is killed or injured.

The term "serious or extremely severe civil aircraft flight accident" refers to a serious or extremely severe civil aircraft flight accident as defined according to the Grades of Civil Aircraft Flight Accidents (National Standards GB14648-93).

The term "accident handling and coordinating team" refers to an organization or institution as designated by the National Command for Handling Flight Accidents in accordance with the National Emergency Plan for Handling Civil Aircraft Flight Accidents, which shall be responsible for coordinating and action as a liaison for the public aircraft transport enterprise to which a civil aircraft flight accident happened, the victims, survivors, missing persons and their families involved in the accident concerned as well as other government departments and institutions so as to offer assistance to the victims, survivors, missing persons and their families.

The term "victim" refers to any person whose death is directly caused by a civil aircraft flight accident, including the crew, passengers holding transport vouchers, free passengers, as well as the third party.

"Survivor" refers to any person who survives because he has not suffered from a fatal injury or he was saved from death though he suffered from a fatal injury in a civil aircraft flight accident.

"Missing person" refers to any missing person directly caused by a civil aircraft flight.

"Family members" refers to the persons who are the spouse, children, parents, brothers, sisters and grandparents of any victim, survivor or missing person involved in a civil aircraft flight accident.

Article 4 The Civil Aviation Administration of China (CAAC) shall be responsible for the supervision and inspection of emergency responses and family assistance relating to civil aircraft flight accidents, urging the formulation and execution of assistance plans for the members of the public air transport enterprises, and performing other duties in accordance with the National Emergency Plan for Handling Civil Aircraft Flight Accidents.

The Regional Administration Bureau Civil Aviation of China (hereinafter referred to as the RABCA) and its dispatched institutions shall, within their respective jurisdiction, assist in the work of emergency response and family assistance relating to civil aircraft flight accidents.

Article 5 An immediate reporting system shall be adopted for civil aircraft flight accidents with the public aviation transport enterprises as the accident reporting subject. An accident report shall be made in a timely and accurate manner. No one may conceal, report any false information about or delay the reporting of any accident.

Article 6 The work of emergency response to a civil aircraft flight accident shall comply with the policy of focusing on the prevention and being always on the alert, and observe the principles of unified leadership and coordination, performing one's own duties, making a response in a timely manner and strengthening cooperation.

Article 7 The family assistance work shall provide the victims, survivors, missing persons and their families with material and spiritual help by complying with the basic principle of timeliness, facilitation and humaneness.

### *Chapter II Accident Reporting*

Article 8 After the occurrence of a civil aircraft flight accident, the entity or individual who discovers an accident shall lose no time in reporting the accident to the CAAC, the local RABCA or its dispatched institution, and the local people's government.

As soon as the local RABCA or its dispatched institution receives the report of an accident, it shall report it to the CAAC, maintain smooth contact with the CAAC and simultaneously notify the local people's government of the accident.

After the people's government of the place where the accident occurs receives the relevant information about an accident, it shall, according to the relevant provisions, report it to the superior people's government and the local RABCA or its dispatched institution.

Article 9 In the event that air traffic regulatory department loses contact with a civil aircraft within the prescribed time period, it shall report it to the CAAC as soon as possible.

Article 10 As soon as the CAAC receives the report of an accident, it shall report to the State Council, work safety supervisory and administrative department and news publicity administrative department of the State Council, and shall properly complete the follow-up reporting work.

Article 11 The RABCA of the place where a civil aircraft flight accident occurs and the public air transport enterprise in which the accident occurs shall, within the prescribed time limit, fill in the initial reporting form for the unsafe incident in the civil aircraft flight and submit it to the relevant departments, reporting to them the brief information about the accident. The date of report, departments to which the report is made, and contents to be reported shall comply with the National Emergency Plan for Handling Civil Aircraft Flight Accidents, the Provisions on the Administration Civil Aviation Safety Information as well as their annexes.

Article 12 After the public air transport enterprise in which a civil aircraft flight accident occurs has reported the accident, if the number of casualties changes or if any other new circumstance occurs, it shall continue to report such change and new circumstance in a timely manner.

*Chapter III Emergency Preparations and Responses of Government Departments*

Article 13 After a civil aircraft flight accident occurs, the CAAC shall, according to the Authorization of the State Council and the relevant provisions of the National Emergency Plan for Handling Civil Aircraft Flight Accidents, be responsible for organizing, coordinating and guiding the emergency handling of the civil aircraft flight accident, organize the accident investigation in pursuance of the relevant provisions of the State, and shall be responsible for inspecting, supervising, and coordinating family assistance work.

Article 14 The CAAC shall take effective measures to prevent aviation flight accidents, control the consequences there, stabilize air transport, and resume the operations as soon as possible.

Article 15 The CAAC shall, according to the National Emergency Plan for Handling Civil Aircraft Flight Accidents, within the scope of its own functions, formulate its emergency plan for handling civil aircraft flight accidents.

An emergency plan shall cover:

- a) the composition of the emergency handling command and the duties of the relevant departments;
- b) civil aircraft flight accident information reporting system, including the information gathering, analysis, reporting and circulating;
- c) emergency responses to the civil aircraft flight accidents;
- d) emergency safeguard against civil aircraft flight accidents;
- e) follow-up handling of a civil aircraft flight accident;
- f) information announcement system for the civil aviation aircraft flight accidents; and
- g) other relevant contents.

Article 16 An RABCA or each of its dispatched institutions shall, in light of actual circumstances within its own region, formulate an emergency plan for civil aircraft flight accidents occurring in this region and submit it to the CAAC for approval.

Article 17 An emergency plan for civil aircraft flight accidents shall be timely revised and supplemented according to the changes of the objective circumstances as well as the problems found in the execution thereof.

Articles 18 After a civil aircraft flight accident occurs, the CAAC and the RABCA shall promptly activate the emergency plan in light of the circumstances of the accident.

Articles 19 When the CAAC activates the emergency plan for civil aircraft flight accidents, it shall, within the scope of its own functions, simultaneously organize the relevant persons to head for the site of the accident without delay, participate in the accident rescue work so as to avoid heavier losses.

Article 20 After the activation of an emergency plan, if the civil aircraft accident to which these Provisions apply, the National Command for Handling Flight Accidents shall designate an accident handling and coordinating team as soon as possible, shall be responsible for coordinating the emergency handling of the accident, coordinate the liaison between the public air transport enterprise and the families, and help the accident investigation team to carry out the investigation work.



Article 21 The accident handling and coordinating team shall publicize its telephone number and contact information so as to obtain more information about the civil aircraft flight accident, look for the information about the victims, survivors and missing persons, identity authentication work and accident investigation, as well as other relevant information, and to facilitate the families to contact with it.

Article 22 The accident handling and coordinating team shall be empowered to demand the public air transport enterprise in which a civil aircraft flight accident occurs to offer the information about the persons aboard the aircraft. The public air transport enterprise shall provide it with such information at once.

Article 23 The accidents handling and coordinating team shall, jointly with the public air transport enterprise, be empowered to inspect the logistic assistance work relating to the families of the victims, survivors and missing persons, including the safety, quality of the facilities and equipment in their lodging places, and the protection of the privacy of the families.

Article 24 The accident handling and coordinating team, the public air transport enterprise in which the civil aircraft flight accident occurs and the people's government of the place where the accident happens shall form a joint center for family assistance so as to coordinate the services and activities relating to the families.

Article 25 The accident handling and coordinating team shall maintain the contact with the public air transport enterprise in which the civil aircraft flight accident occurs so as to timely obtain its latest information about the progress in contacting with the families of the victims, survivors and missing persons.

Article 26 The accident handling and coordinating team shall timely organize and convene a coordination meeting, which shall be attended by the representatives of the public air transport enterprise in which the civil aircraft flight accident occurs and the people's government of the place where the accident happens, so as to solve the relevant problems and adjust the family assistance work in good time.

Article 27 The accident handling and coordinating team shall timely offer the necessary information to the families of any confirmed victim, survivor or missing person so as to facilitate their access to the relevant information.

Article 28 The accident handling and coordinating team shall announce the relevant information about the family assistance by proper means.

#### *Chapter IV Public Air Transport Enterprise's Emergency Reponses and Family Assistance*

Article 29 After the occurrence of a civil aircraft flight accident, the public air transport enterprise shall provide the families of the victims, survivors and missing persons involved in an accident with material and mental assistance.

Article 30 A public air transport enterprise shall formulate an emergency plan for civil aircraft flight accident, and shall organize an emergency drilling every year so as to correct the potential problems in the emergency plan.

Article 31 The public air transport enterprise shall submit a family assistance plan to the CAAC, which shall cover:

- a) a telephone number which is rapidly available after the civil aircraft accident occurs, and a name list of the well-trained persons who are capable of handling the phone calls of the families of the passengers;
- b) the procedure for giving a timely notice to the families of the passengers;
- c) the channel for offering to the competent authority the information about the persons aboard the aircraft as well as for updating such information;

- d) the promise to negotiate with the family of each passenger about the disposition of the remains and personal effects of the victims;
- e) the promise to train, where necessary, its personnel and agents to as to address the needs of the families of victims, survivors and missing persons involved in the accident;
- f) a compensation plan and procedures, and the procedures and organization for handling the funeral affairs of the victims; and
- g) the promise to commit sufficient resources to carry out this plan.

For any change to the family assistance plan, the public air transport enterprise shall report it to the CAAC for archival purposes within 10 days after the change.

Article 32 As soon as the public air transport enterprise learns of a civil aircraft flight accident, it shall activate the emergency plan immediately and shall report it to the CACC as soon as possible.

The accident reporting information of a public air transport enterprise shall not only comply with the requirements as mentioned in Article 11 of these Provisions, but also provide the following information:

- a) the emergency response measures taken after the occurrence of the accident;
- b) the main contact information, including the name and contact information of the general director for the onsite handling of the accident; the name, telephone number and location of the designated hotels for providing assistance to the families; the name and contact information of the persons who are responsible for notifying the families; and
- c) other information relating to the accident.

Article 33 The public air transport enterprise shall immediately announce the telephone number available for the inquiries of the families of the victims, survivors and missing persons.

Article 34 The public air transport enterprise shall, as soon as possible, make initial notification to the family members of the victims, survivors and missing persons, and shall correct the information about the persons aboard the aircraft after verifying it against the boarding documents.

Article 35 A public air transport enterprise shall provide the accident coordinating team with a copy of the verified information about the persons aboard the aircraft, and shall make reports of further verified information.

Article 36 A public air transport enterprise shall provide assistance to the families of the victims, survivors and missing persons, which includes:

- a) providing transport support to family members to travel to and from site of the accident;
- b) providing necessary logistical support to other family members such as lodging, place of activities, etc.;
- c) assigning trained personnel to provide family members with mental conciliating;
- d) providing the victims, survivors and missing persons and their families with necessary medical health support;
- e) providing necessary funds to carry out the family assistance tasks; and
- f) providing other assistance relating to the civil aircraft flight accident.

The public air transport enterprise shall be responsible for the abovementioned assistance expenses.

Article 37 A public air transport enterprise shall publicize the progress of contacting the families so as to further contact the families of the victims, survivors and missing persons in a timely manner.

Article 38 Where any foreign passenger is involved in a civil aircraft flight accident, the public air transport enterprise shall timely report the necessary information about him to the accident coordinating team so as to enable the foreign affairs department to contact the relevant foreign embassy in a timely manner.

Article 39 After a civil aircraft flight accident occurs within a civil transport airport (hereinafter referred to as the airport) or its adjacent area, efforts shall be made to organize rescue work at the location of accident so as to avoid heavier losses.

Article 40 An airport shall make a rapid response to any civil aircraft flight accident that occurs in an airport or its adjacent area, take appropriate measures to avoid or reduce casualties as well as property losses, and shall provide necessary assistance for the public air transport enterprise to carry out rescue and assistance tasks. The term "in an airport or its adjacent area" refers to the area within the enclosure of the airport as well as the area within a distance of 8 kilometers from the benchmark location of the airport.

Article 41 The administrative department of an airport shall formulate an airport emergency rescue plan and shall be responsible for the overall coordination of the emergency rescue tasks for the civil aircraft flight accidents that occur within the airport and its adjacent area.

The emergency rescue plan of an airport shall, according to the relevant provisions, be reported to the CAAC or the RABCA for approval. Any modification to it shall be reported to the original approval organ for archival purposes.

Article 42 The administrative department of an airport shall regularly organize emergency drills, for which the concrete requirement shall comply with the relevant provisions.

Article 43 An airport shall establish an airport emergency rescue leading team, which shall be composed of the local people's government, the RABCA, administrative department of the airport, air traffic regulatory department, public air transport enterprise and other entities stationed in this airport, to be responsible for the organization and coordination of the emergency rescue tasks for the civil aircraft flight accidents that occur within the airport and its adjacent area.

Article 44 After a civil aircraft flight accident occurs within an airport or its adjacent area, the airport emergency rescue leading team shall organize and carry out rescue, and shall arrange rescue resources by coordinating the fire prevention, medical, public security and other departments of the airport.

Article 45 The administrative department of an airport shall help the public air transport enterprise in which a civil aircraft flight accident occurs to carry out the family assistance tasks, such as facilitating their transportation, lodging, etc.

Article 46 During the course of an emergency rescue, the entities participating in the emergency rescue shall protect the site of the accident and the relevant evidence. They shall avoid moving any aircraft wreckage, fallouts, and remains of the victims.

If it is necessary to move the site of accident to rescue persons, preventing the accident from worsening or for any other reason, the site shall be photographed, videotaped or marked, a sketch of the site shall be drawn and transcripts shall be made.

For any meters, operating parts, or injured and killed persons within the cabin of the aircraft, before it is moved, it (he) shall be photographed, a sketch shall be drawn and transcripts shall be made.

*Chapter VI Supplementary Provisions*

Article 47 These provisions shall come into force as of January 1, 2006.

Article 48 Other civil aircraft flight accidents which are not prescribed in these Provisions shall be governed by these Provisions.

Article 49 A public air transport enterprise which has obtained a business operation permit prior to the effectiveness of these Provisions shall submit a family assistance plan to the CAAC according to these Provisions within 180 days after these Provisions come into effect. Any application that files an application for a public air transport enterprise business operation permit after these provisions come into force shall submit such a plan when it submits the aforesaid application.

Article 50 Any matter which relates to the handling of civil aircraft flight accidents but is not specifically prescribed by these Provisions shall be addressed in pursuance of the pertinent provisions of the State.

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**EUROPEAN UNION**  
**REGULATION NO 996/2010 ON INVESTIGATION AND PREVENTION OF**  
**ACCIDENTS AND INCIDENTS IN CIVIL AVIATION**

**ARTICLES 15§4 AND 5, 20§1 AND 21 (20 OCTOBER 2010)**

Article 15

**Communication of information**

4. The safety investigation authority in charge shall be authorised to inform victims and their relatives or their associations or make public any information on the factual observations, the proceedings of the safety investigation, possibly preliminary reports or conclusions and/or safety recommendations, provided that it does not compromise the objectives of the safety investigation and fully complies with applicable legislation on the protection of personal data.

5. Before making public the information referred to in paragraph 4, the safety investigation authority in charge shall forward that information to the victims and their relatives or their associations in a way which does not compromise the objectives of the safety investigation.

Article 20

**Information on persons and dangerous goods on board**

1. Union airlines operating flights arriving to or departing from, and third country airlines operating flights departing from an airport located in the territories of the Member States to which the Treaties apply, shall implement procedures which allow for the production:

- a) as soon as possible, and at the latest within two hours of the notification of the occurrence of an accident to the aircraft, of a validated list, based on the best available information, of all the persons on board; and
- b) immediately after the notification of the occurrence of an accident to the aircraft, of the list of the dangerous goods on board.

Article 21

**Assistance to the victims of air accidents and their relatives**

1. In order to ensure a more comprehensive and harmonised response to accidents at EU level, each Member State shall establish a civil aviation accident emergency plan at national level. Such an emergency plan shall also cover assistance to the victims of civil aviation accidents and their relatives.

2. Member States shall ensure that all airlines established in their territory have a plan for the assistance to the victims of civil aviation accidents and their relatives. Those plans must take particular account of psychological support for victims of civil aviation accidents and their relatives and allow the airline to react to a major accident. The Member States shall audit the assistance plans of the airlines established in their territory. Member States shall also encourage third-country airlines which operate in the Union to similarly adopt a plan for the assistance of victims of civil aviation accidents and their relatives.

3. When an accident occurs, the Member State in charge of the investigation, the Member State in which the airline, the aircraft of which was involved in the accident is established, or the Member State which had a large number of its nationals on board the aircraft involved in the accident, shall provide for the appointment of a reference person as a point of contact and information for the victims and their relatives.

4. A Member State or a third country, which, by virtue of fatalities or serious injuries to its citizens, has a special interest in an accident which has occurred in the territories of the Member States to which the Treaties apply, shall be entitled to appoint an expert who shall have the right to:

- a) visit the scene of the accident;
- b) have access to the relevant factual information, which is approved for public release by the safety investigation authority in charge, and information on the progress of the investigation; and
- c) receive a copy of the final report.

5. An expert appointed in accordance with paragraph 4 may assist, subject to applicable legislation in force, in the identification of the victims and attend meetings with the survivors of its State.

6. In accordance with Article 2(1) of Regulation (EC) No 785/2004 of the European Parliament and of the Council of 21 April 2004 on insurance requirements for air carriers and aircraft operators, also third country air carriers shall fulfill the insurance obligations set out in that Regulation.

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## **JAPAN LEGISLATION RELATING TO FAMILY ASSISTANCE**

### **The Traffic Safety Measures Basic Act (Act No. 110 of June 1, 1970) [Extract]**

#### **Chapter 3 Traffic Safety Program**

(Preparation and Publication, etc. of the Fundamental Traffic Safety Program)

##### Article 22

- 1) The Central Committee on Traffic Safety Measures shall prepare the Fundamental Traffic Safety Program.
- 2) The Fundamental Traffic Safety Program shall provide for the matters listed in the following items:
  - i) An outline of comprehensive and long-term traffic safety measures;
  - ii) In addition to what is listed in the preceding item, matters necessary to comprehensively and systematically promote traffic safety measures.

(Traffic Safety Affairs Program)

##### Article 24

- 1) The head of a designated administrative organ shall prepare a Traffic Safety Affairs Program for every fiscal year in relation to the affairs under his/her jurisdiction, based on the Fundamental Traffic Safety Program.
- 2) A traffic safety affairs plan shall provide for the matters listed in the following items:
  - i) Traffic safety measures that a designated administrative organ shall take in said fiscal year;
  - ii) In addition to what is listed in the preceding item, matters to be used as the standard in preparing programs in relation to land traffic safety measures that a designated local administrative organ and the relevant prefecture shall take in said fiscal year in areas of the relevant prefecture.

### **The Ninth Fundamental Traffic Safety Program (The Central Committee on Traffic Safety Measures, March 31, 2011) [Extract]**

#### **Basic Principles of this Program**

##### **5. Enhancing rescue and emergency services and victim support**

In order to save the lives of the injured and minimize damage in the event of a traffic accident, it is important to enhance the promptness of rescue and emergency services and improve the treatment of the injured. Also, in light of the enactment of the Basic Act on Crime Victims (Act No. 161 of 2004), support for victims shall be further enhanced in the field of traffic safety.

**Part 3 Air Traffic Safety, Section 2 Measures for Air Traffic Safety, II Measures to be Taken****6. Promoting victim support**

With the participation of victims' associations, etc., deliberations shall be held concerning the details of the support to be given to traffic accident victims, etc. as required in Japan. The division of roles among related organizations, such as business operators, local governments and the national government, ideal functioning of the integrated office for traffic accident victims, etc. and necessary systems for such functioning, and the necessary efforts shall be made to develop a framework and systems of support that suit the circumstances in Japan.

**Traffic Safety Affairs Program for FY2012, Ministry of Land, Infrastructure,  
Transport and Tourism (April 2012) [Extract]****Part 3 Air Traffic Safety Measures, Section 6 Promoting victim support****1 Efforts during Peacetime****1) Development of support system for victims**

- The ministry shall develop a system to provide support for victims, etc. of public transportation accidents and establish offices for victims, etc., and shall simultaneously prepare the necessary manuals, conduct educational training for staffs engaged in victim support activities, and create a network with related organizations.

**2) Promotion of business operators' development of Family Assistance Plan**

- The ministry enhances support of victims, etc. of public transportation accidents by means of preparing guidelines for business operators to follow when developing plans concerning support for victims, etc. and encouraging their development of plans and enhancing their support for victims, etc.

**2 Efforts in the Event of an Accident****1) Immediate post-accident response**

- When an emergency response headquarters has been set up upon the occurrence of a public transportation accident, the ministry shall establish an office for victims, etc. at the headquarters and transmit their requests for safety and accident information, etc. to the related administrative organs, public institutions, local governments, and business operators, collect and organize information helpful to victims, etc., and attempt to provide victims, etc. with accurate and detailed information in an appropriate manner.
- Furthermore, in order to ensure that the necessary support is offered to the efforts of victims, etc. to confirm safety at the accident site, the ministry shall endeavor to respond properly to inquiries and requests for consultation with victims, etc. via the office for victims, etc., in such ways as transmitting their requests to business operators, etc. for the necessary responses and by providing victims, etc. with information on the acceptance system at the accident site.
- Even where an emergency response headquarters has not been set up, the ministry shall attempt to provide necessary information and take other measures under the system to provide support for victims, etc. of public transportation accidents, in accordance with the size and type of accident.



2) Medium- to long-term response

- Under the system to provide support for victims, etc. of public transportation accidents, the ministry shall establish offices for victims, etc. and carry out the necessary coordination, based on requests from victims, etc. to review the status of accident investigations and regulations and to explain business operators' safety measures. The ministry shall also accept requests for consultation from victims, etc. and provide guidance and advice to business operators, as necessary, concerning the support provided by business operators based on the plans for the support of victims, etc. of public transportation accidents the business operators have prepared or by other means, and at the same time shall provide victims, etc. with services, such as introducing them to related organizations and mental health specialists.

**Basic Act on Disaster Control Measures (Act No. 223 of November 15, 1961) [Extract]**

(Definitions)

Article 2 In this Act, the meanings of the terms listed in the following items shall be as prescribed respectively in those items:

i) Disaster: damage caused by a storm, tornado, heavy rain, heavy snow, flood, tidal wave, earthquake, tsunami, eruption or other abnormal natural phenomena, or a large-scale fire or explosion or other causes specified by Cabinet Order as equivalent to these in terms of the level of damage caused thereby.

ii) to x) omitted

(Organization of Emergency Response Headquarters)

Article 25

1) The emergency response headquarters shall be headed by a director-general, and a Minister of State shall serve in this capacity.

2) The director-general of the emergency response headquarters shall be in charge of general coordination of the affairs of the headquarters, and shall direct and supervise the relevant officials.

3) to 11) omitted

(Affairs under the Jurisdiction of the Emergency Response Headquarters)

Article 26 The emergency response headquarters shall take charge of the following affairs:

i) Matters relating to the preparation of the policy for appropriately and promptly implementing emergency response measures;

ii) Matters relating to the comprehensive coordination of emergency response measures implemented by the head of a designated administrative organ, the head of a designated local administrative organ, the head of a local government and other executive organ, a designated public institution, and a designated local public institution in the area under its jurisdiction, based on a disaster prevention plan;

iii) Matters relating to the implementation of necessary and urgent measures in the event of an emergency;

- iv) Matters that fall under the authority of the director-general of the emergency response headquarters pursuant to the provisions of Article 28;
- v) In addition to what is described in the preceding items, matters that fall under the authority of the emergency response headquarters pursuant to the provisions of laws and regulations.

(Preparation and Publication, etc. of Basic Disaster Prevention Plan)

Article 34 The Central Disaster Prevention Council shall prepare the Basic Disaster Prevention Plan and review it every year taking into consideration the results of scientific research on disasters and the prevention thereof, and the status of disasters that have occurred and the effects of emergency response measures taken in connection with such disasters, and shall amend the plan when the council finds it necessary.

Article 35 The Basic Disaster Prevention Plan shall provide for the matters described in the following items:

- i) Comprehensive and long-term disaster prevention plan;
- ii) Matters to be given particular attention in Operational Disaster Prevention Plans and Local Disaster Prevention Plans;
- iii) In addition to what is listed in the preceding items, matters to be used as standards in preparing Operational Disaster Prevention Plans and Local Disaster Prevention Plans as found necessary by the Central Disaster Prevention Council

(Operational Disaster Prevention Plans of Designated Administrative Organs)

Article 36 The head of a designated administrative organ shall prepare an Operational Disaster Prevention Plan in relation to the affairs under his/her jurisdiction, based on the Basic Disaster Prevention Plan, and shall review the Operational Disaster Prevention Plan every year and amend it when he/she finds it necessary.

**Order for Enforcement of the Basic Act on Disaster Control Measures  
(Cabinet Order No. 288 of July 9, 1962) [Extract]**

(Causes Specified by Cabinet Order)

Article 1 The causes specified by Cabinet Order as set forth in Article 2, item (i) of the Basic Act on Disaster Control Measures (hereinafter referred to as the "Act") shall be a massive release of radioactive materials, the sinking of a vessel accompanied by a number of missing people and other large-scale accidents.

**Basic Disaster Prevention Plan (Central Disaster Prevention Council, September 2012) [Extract]**

**Part 8 Air Disaster Countermeasures, Chapter 1 Disaster Prevention**

**Section 6 Preparation of Prompt and Smooth Emergency Response Measures and Recovery from Disasters**

1 Information collection, liaison, and development of emergency response systems

6) Support for passenger victims

- In collaboration with air carriers and related organizations, etc., the Ministry of Land, Infrastructure, Transport and Tourism shall develop a system to provide information and other support to passenger victims, etc. in the event of an air accident.
- The Ministry of Land, Infrastructure, Transport and Tourism shall encourage air carriers to develop plans concerning support for passenger victims, etc. in the event of an air accident, or shall otherwise endeavor to enhance support for passenger victims, etc.

## **Chapter 2 Emergency Response Measures**

### **Section 4 Accurate Transmission of Information to Related Parties**

#### 1) Transmission of information to victims' families

- The emergency response headquarters, designated administrative organs, public institutions, local governments, and air carriers shall ascertain the needs of victims' families, etc. sufficiently and shall appropriately provide accurate and detailed information helpful to victims' families, etc., such as the status of the air disaster, safety information, information on medical institutions, etc., information on the measures that each organization is taking, and traffic control information.
- The emergency response headquarters shall establish an office to provide information to passenger victims, etc. and shall transmit their requests for information to the designated administrative organs, public institutions, local governments, and air carriers, compile information helpful to passenger victims, etc., provide them with accurate and detailed information in an appropriate manner, and simultaneously endeavor to respond properly to inquiries and requests for consultation from passenger victims, etc.

### **Operational Disaster Prevention Plan**

#### **Ministry of Land, Infrastructure, Transport and Tourism (Amended in September 2012) [Extract]**

#### **Part 1 General Rule, Chapter 2 Basic Disaster Prevention Measures Policy**

- The ministry shall take the following preventive measures to prevent the occurrence of disasters or minimize damage in the event of a disaster:
  - The ministry shall make efforts to enhance support for passenger victims, etc. in the event of a public transportation accident.
- The ministry shall take the following measures in order to ensure prompt and smooth implementation of emergency response measures in the event of a disaster:
  - In the event of a public transportation accident, the ministry shall make efforts to compile information helpful to passenger victims, etc. and provide accurate and detailed information in an appropriate manner, while endeavoring to respond properly to inquiries and requests for consultation from passenger victims, etc.

#### **Part 8 Air Disasters Countermeasures, Chapter 1 Prevention of Disasters**

##### **Section 9 Development of Support Systems for Victims**

- In collaboration with air carriers and related organizations, etc., the ministry shall develop a system to provide information and other support to passenger victims, etc. in the event of an air accident, and at the same time, shall prepare the necessary manuals, conduct educational training for staff engaged in passenger victim support activities, and create a network with related organizations.

- The ministry enhances support for passenger victims, etc. of air accidents by means of preparing guidelines for air carriers to follow when developing plans concerning support for passenger victims, etc. and encouraging the development of plans.

### **Section 10 Development of System to Provide Information to Victims**

- In collaboration with the media and communication companies, the ministry shall strengthen the system to provide the general public, including victims, with information concerning damage to and availability of airport facilities, the operation of public transportation systems, and support measures for victims, etc. being implemented by local governments, related public institutions, and related business operators. Furthermore, in order to ensure a proper response where the ministry receives requests for this type of information from victims, etc. in the event of a disaster, the ministry shall endeavor to develop the system to provide information and other support to passenger victims, etc. as set forth in the preceding Section.

## **Chapter 2 Disaster Emergency Measures**

### **Section 5 Implementation of Support System for Victims**

#### No. 1 Provision of shelters for victims

- The ministry shall establish an office for passenger victims, etc. at the emergency response headquarters, and furthermore, in order to ensure that the necessary support is offered to the efforts of passenger victims, etc. to confirm safety at the accident site, the ministry shall endeavor to properly respond to inquiries and requests for consultation from passenger victims, etc., in such ways as transmitting their requests to air carriers, etc. for necessary responses and by providing victims, etc. with information on an acceptance system at the accident site.

### **Section 6 Prompt Provision of Information to Victims**

- The ministry shall establish an office for passenger victims, etc. at the emergency response headquarters, and transmit their requests for safety and accident information, etc. to designated administrative organs, public institutions, local governments, and air carriers, compile information helpful to passenger victims, etc. and attempt to provide them with accurate and detailed information in an appropriate manner.
- In collaboration with the media and communication companies, the ministry shall immediately provide the general public, including victims, with information concerning damage to airport facilities, the operation of public transportation systems, and support measures for victims, etc. being implemented by local governments, related public institutions, and related business operators. Furthermore, when the ministry receives requests for this type of information from victims, etc., the ministry shall endeavor to provide information in an appropriate manner via the office for passenger victims, etc.

**Act for Establishment of the Japan Transport Safety Board  
Act No. 113 of October 12, 1973 [Extract]**

(Provision of information)

Article 28-2 In carrying out the investigation of accident, etc., the Board shall fully consider the sentiments of casualties and their families, or bereaved families, and provide them with information regarding the investigation of the accident, etc., in a timely and in an appropriate manner.

**Rules on Management of the Japan Transport Safety Board  
(Rules of the Japan Transport Safety Board, No. 1) [Extract]**

**Chapter V Provision of Information to Victims, etc.**

(Provision of Information on Circumstance of Occurrence of Damage)

Article 28

Where any accident resulting in the death of passengers or any other accident as the Board determines to have involved any serious damage has taken place, the Board shall, even before the time of publication of the written report thereon, promptly provide information on the circumstance of the occurrence of damage in connection with such accident which may come to its attention, to victims and families or bereaved families thereof (hereinafter referred to as the "victims, etc."), to the maximum extent possible by means of the Internet.

(Observation of Hearings)

Article 29

Where the Board holds a hearing, it may, upon the request of the victims, etc. and to the maximum extent possible, permit the victims, etc. to observe the hearing.

(Preparation of Written Report)

Article 30

In preparation of a written report set forth in Article 25, paragraph (1) of the Act, the Board shall prepare a concrete and detailed one using the simplest terms possible, while paying due regard to the fact that victims, etc. may inspect such report.

(Briefing Session)

Article 31

1) Where the Board intends to publicize any progress and written report on investigation of any accident resulting in the death of many passengers or any other accident as the Board determines to have involved any particularly serious damage, the Board shall, upon the request of the victims, etc., hold a briefing session so as to provide the victims, etc. with explanation on the contents of such progress and report.

2) Where the Board holds the briefing session set forth in the preceding paragraph, it shall endeavor to make the contents of such session understood by the victims, etc. as simply as possible.

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**REPUBLIC OF KOREA**  
**PLANS FOR ASSISTANCE IN CASE OF AIRCRAFT ACCIDENTS (2006)**

Article 49-2 (Plans for Assistance in Case of Aircraft Accidents)

1) Any air transport business operator shall submit plans for assistance to passengers and their families related to aircraft accidents (hereinafter referred to as the "plans for assistance in the case of aircraft accidents") to the Minister of Construction and Transportation as provided by Ordinance of the Ministry of Construction and Transportation: Provided that any person who intends to obtain an air transport business license shall do so at the time of the first application therefor.

2) The plans for assistance in the case of aircraft accidents shall include the following:

1. Matters concerning the establishment and operation of the center for management of aircraft accidents;
2. Matters concerning the procedures for giving relief to, and paying the compensation to, passengers;
3. Matters concerning the confirmation, management and delivery of remains of passengers and articles left by them;
4. Matters concerning notice and assistance to families of passengers; and
5. Other matters provided for by Ordinance of the Ministry of Construction and Transportation.

3) If it is deemed that the contents of plans for assistance in the case of aircraft accidents are not appropriate for rapid treatment of aircraft accidents, the Minister of Construction and Transportation may order such contents supplemented or modified.

4) If aircraft accidents occur, any air transport business operator shall, without delay, implement the matters included in plans for assistance in the case of aircraft accidents.

5) The Minister of Construction and Transportation shall not grant an air transport business license to a person who fails to submit plans for assistance in the case of aircraft accidents under the proviso of paragraph (1) or to comply with a supplementation or modification order under paragraph (3).

[This Article newly inserted by Act No. 8128, December 28, 2006]

ADDENDA <Act No. 8128, December 28, 2006>

1) (Enforcement Date) This Act shall enter into force six months after the date of its promulgation.

2) (Transitional Measures for Submission of Plans for Assistance in Case of Aircraft Accidents by Existing Air Transport Business Operator) At the time when this Act enters into force, a regular air transport business operator, an irregular air transport business operator and a foreign international air transport business operator shall, within six months after this Act enters into force, submit to the Minister of Construction and Transportation plans for assistance in the case of aircraft accidents under the amended provisions of Articles 49-2, 132(4) and 152, respectively.

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**UNITED STATES**  
**AVIATION DISASTER FAMILY ASSISTANCE ACT OF 1996**

**1136. Assistance to families of passengers involved in aircraft accidents**

(a) In General.— As soon as practicable after being notified of an aircraft accident within the United States involving an air carrier or foreign air carrier and resulting in a major loss of life, the Chairman of the National Transportation Safety Board shall—

(1) designate and publicize the name and phone number of a director of family support services who shall be an employee of the Board and shall be responsible for acting as a point of contact within the Federal Government for the families of passengers involved in the accident and a liaison between the air carrier or foreign air carrier and the families; and

(2) designate an independent non-profit organization, with experience in disasters and post trauma communication with families, which shall have primary responsibility for coordinating the emotional care and support of the families of passengers involved in the accident.

(b) Responsibilities of the Board.— The Board shall have primary Federal responsibility for facilitating the recovery and identification of fatally-injured passengers involved in an accident described in subsection (a).

(c) Responsibilities of Designated Organization.— The organization designated for an accident under subsection (a)(2) shall have the following responsibilities with respect to the families of passengers involved in the accident:

(1) To provide mental health and counseling services, in coordination with the disaster response team of the air carrier or foreign air carrier involved.

(2) To take such actions as may be necessary to provide an environment in which the families may grieve in private.

(3) To meet with the families who have traveled to the location of the accident, to contact the families unable to travel to such location, and to contact all affected families periodically thereafter until such time as the organization, in consultation with the director of family support services designated for the accident under subsection (a)(1), determines that further assistance is no longer needed.

(4) To communicate with the families as to the roles of the organization, government agencies, and the air carrier or foreign air carrier involved with respect to the accident and the post-accident activities.

(5) To arrange a suitable memorial service, in consultation with the families.

(d) Passenger Lists.—

(1) Requests for passenger lists.—

(A) Requests by director of family support services.— It shall be the responsibility of the director of family support services designated for an accident under subsection (a)(1) to request, as soon as practicable, from the air carrier or foreign air carrier involved in the accident a list, which is based on the best available information at the time of the request, of the names of the passengers that were aboard the aircraft involved in the accident.

(B) Requests by designated organization.— The organization designated for an accident under subsection (a)(2) may request from the air carrier or foreign air carrier involved in the accident a list described in subparagraph (A).

(2) Use of information.— The director of family support services and the organization may not release to any person information on a list obtained under paragraph (1) but may provide information on the list about a passenger to the family of the passenger to the extent that the director of family support services or the organization considers appropriate.

(e) Continuing Responsibilities of the Board.— In the course of its investigation of an accident described in subsection (a), the Board shall, to the maximum extent practicable, ensure that the families of passengers involved in the accident—

(1) are briefed, prior to any public briefing, about the accident, its causes, and any other findings from the investigation; and

(2) are individually informed of and allowed to attend any public hearings and meetings of the Board about the accident.

(f) Use of Air Carrier Resources.— To the extent practicable, the organization designated for an accident under subsection (a)(2) shall coordinate its activities with the air carrier or foreign air carrier involved in the accident so that the resources of the carrier can be used to the greatest extent possible to carry out the organization's responsibilities under this section.

(g) Prohibited Actions.—

(1) Actions to impede the board.— No person (including a State or political subdivision) may impede the ability of the Board (including the director of family support services designated for an accident under subsection (a)(1)), or an organization designated for an accident under subsection (a)(2), to carry out its responsibilities under this section or the ability of the families of passengers involved in the accident to have contact with one another.

(2) Unsolicited communications.— In the event of an accident involving an air carrier providing interstate or foreign air transportation and in the event of an accident involving a foreign air carrier that occurs within the United States, no unsolicited communication concerning a potential action for personal injury or wrongful death may be made by an attorney (including any associate, agent, employee, or other representative of an attorney) or any potential party to the litigation to an individual injured in the accident, or to a relative of an individual involved in the accident, before the 45th day following the date of the accident.

(3) Prohibition on actions to prevent mental health and counseling services.— No State or political subdivision thereof may prevent the employees, agents, or volunteers of an organization designated for an accident under subsection (a)(2) from providing mental health and counseling services under subsection (c)(1) in the 30-day period beginning on the date of the accident. The director of family support services designated for the accident under subsection (a)(1) may extend such period for not to exceed an additional 30 days if the director determines that the extension is necessary to meet the needs of the families and if State and local authorities are notified of the determination.

(h) Definitions.— In this section, the following definitions apply:

(1) Aircraft accident.— The term "aircraft accident" means any aviation disaster regardless of its cause or suspected cause.

(2) Passenger.— The term "passenger" includes—

(A) an employee of an air carrier or foreign air carrier aboard an aircraft; and



(B) any other person aboard the aircraft without regard to whether the person paid for the transportation, occupied a seat, or held a reservation for the flight.

(i) Statutory Construction.— Nothing in this section may be construed as limiting the actions that an air carrier may take, or the obligations that an air carrier may have, in providing assistance to the families of passengers involved in an aircraft accident.

(j) Relinquishment of Investigative Priority.—

(1) General rule.— This section (other than subsection (g)) shall not apply to an aircraft accident if the Board has relinquished investigative priority under section 1131 (a)(2)(B) and the Federal agency to which the Board relinquished investigative priority is willing and able to provide assistance to the victims and families of the passengers involved in the accident.

(2) Board assistance.— If this section does not apply to an aircraft accident because the Board has relinquished investigative priority with respect to the accident, the Board shall assist, to the maximum extent possible, the agency to which the Board has relinquished investigative priority in assisting families with respect to the accident

#### **41113. Plans to address needs of families of passengers involved in aircraft accidents**

(a) Submission of Plans.— Each air carrier holding a certificate of public convenience and necessity under section 41102 of this title shall submit to the Secretary and the Chairman of the National Transportation Safety Board a plan for addressing the needs of the families of passengers involved in any aircraft accident involving an aircraft of the air carrier and resulting in a major loss of life.

(b) Contents of Plans.— A plan to be submitted by an air carrier under subsection (a) shall include, at a minimum, the following:

(1) A plan for publicizing a reliable, toll-free telephone number, and for providing staff, to handle calls from the families of the passengers.

(2) A process for notifying the families of the passengers, before providing any public notice of the names of the passengers, either by utilizing the services of the organization designated for the accident under section 1136(a)(2) of this title or the services of other suitably trained individuals.

(3) An assurance that the notice described in paragraph (2) will be provided to the family of a passenger as soon as the air carrier has verified that the passenger was aboard the aircraft (whether or not the names of all of the passengers have been verified) and, to the extent practicable, in person.

(4) An assurance that the air carrier will provide to the director of family support services designated for the accident under section 1136(a)(1) of this title, and to the organization designated for the accident under section 1136(a)(2) of this title, immediately upon request, a list (which is based on the best available information at the time of the request) of the names of the passengers aboard the aircraft (whether or not such names have been verified), and will periodically update the list.

(5) An assurance that the family of each passenger will be consulted about the disposition of all remains and personal effects of the passenger within the control of the air carrier.

(6) An assurance that if requested by the family of a passenger, any possession of the passenger within the control of the air carrier (regardless of its condition) will be returned to the family unless the possession is needed for the accident investigation or any criminal investigation.

(7) An assurance that any unclaimed possession of a passenger within the control of the air carrier will be retained by the air carrier for at least 18 months.

(8) An assurance that the family of each passenger will be consulted about construction by the air carrier of any monument to the passengers, including any inscription on the monument.

(9) An assurance that the treatment of the families of nonrevenue passengers (and any other victim of the accident) will be the same as the treatment of the families of revenue passengers.

(10) An assurance that the air carrier will work with any organization designated under section 1136(a)(2) of this title on an ongoing basis to ensure that families of passengers receive an appropriate level of services and assistance following each accident.

(11) An assurance that the air carrier will provide reasonable compensation to any organization designated under section 1136(a)(2) of this title for services provided by the organization.

(12) An assurance that the air carrier will assist the family of a passenger in traveling to the location of the accident and provide for the physical care of the family while the family is staying at such location.

(13) An assurance that the air carrier will commit sufficient resources to carry out the plan.

(14) An assurance that, upon request of the family of a passenger, the air carrier will inform the family of whether the passenger's name appeared on a preliminary passenger manifest for the flight involved in the accident.

(15) An assurance that the air carrier will provide adequate training to the employees and agents of the carrier to meet the needs of survivors and family members following an accident.

(16) An assurance that the air carrier, in the event that the air carrier volunteers assistance to United States citizens within the United States with respect to an aircraft accident outside the United States involving major loss of life, will consult with the Board and the Department of State on the provision of the assistance.

(17)

(A) An assurance that, in the case of an accident that results in significant damage to a manmade structure or other property on the ground that is not government-owned, the air carrier will promptly provide notice, in writing, to the extent practicable, directly to the owner of the structure or other property about liability for any property damage and means for obtaining compensation.

(B) At a minimum, the written notice shall advise an owner (i) to contact the insurer of the property as the authoritative source for information about coverage and compensation; (ii) to not rely on unofficial information offered by air carrier representatives about compensation by the air carrier for accident-site property damage; and (iii) to obtain photographic or other detailed evidence of property damage as soon as possible after the accident, consistent with restrictions on access to the accident site.

(18) An assurance that, in the case of an accident in which the National Transportation Safety Board conducts a public hearing or comparable proceeding at a location greater than 80 miles from the accident site, the air carrier will ensure that the proceeding is made available simultaneously by electronic means at a location open to the public at both the origin city and destination city of the air carrier's flight if that city is located in the United States.

(c) Certificate Requirement.— The Secretary may not approve an application for a certificate of public convenience and necessity under section 41102 of this title unless the applicant has included as part of such application a plan that meets the requirements of subsection (b).

(d) Limitation on Liability.— An air carrier shall not be liable for damages in any action brought in a Federal or State court arising out of the performance of the air carrier in preparing or providing a passenger list, or in providing information concerning a preliminary passenger manifest, pursuant to a plan submitted by the air carrier under subsection (b), unless such liability was caused by conduct of the air carrier which was grossly negligent or which constituted intentional misconduct.

(e) Aircraft Accident and Passenger Defined.— In this section, the terms “aircraft accident” and “passenger” have the meanings such terms have in section 1136 of this title.

(f) Statutory Construction.— Nothing in this section may be construed as limiting the actions that an air carrier may take, or the obligations that an air carrier may have, in providing assistance to the families of passengers involved in an aircraft accident.

### **Establishment of Task Force**

Section 704 of Public Law 104–264

(a) Establishment.— The Secretary of Transportation, in cooperation with the National Transportation Safety Board, the Federal Emergency Management Agency, the American Red Cross, air carriers, and families which have been involved in aircraft accidents shall establish a task force consisting of representatives of such entities and families, representatives of air carrier employees, and representatives of such other entities as the Secretary considers appropriate.

(b) Guidelines and Recommendations.— The task force established pursuant to subsection (a) shall develop—

(1) guidelines to assist air carriers in responding to aircraft accidents;

(2) recommendations on methods to ensure that attorneys and representatives of media organizations do not intrude on the privacy of families of passengers involved in an aircraft accident;

(3) recommendations on methods to ensure that the families of passengers involved in an aircraft accident who are not citizens of the United States receive appropriate assistance;

(4) recommendations on methods to ensure that State mental health licensing laws do not act to prevent out-of-state mental health workers from working at the site of an aircraft accident or other related sites;

(5) recommendations on the extent to which military experts and facilities can be used to aid in the identification of the remains of passengers involved in an aircraft accident; and

(6) recommendations on methods to improve the timeliness of the notification provided by air carriers to the families of passengers involved in an aircraft accident, including—

(A) an analysis of the steps that air carriers would have to take to ensure that an accurate list of passengers on board the aircraft would be available within 1 hour of the accident and an analysis of such steps to ensure that such list would be available within 3 hours of the accident;

(B) an analysis of the added costs to air carriers and travel agents that would result if air carriers were required to take the steps described in subparagraph (A);

(C) an analysis of any inconvenience to passengers, including flight delays, that would result if air carriers were required to take the steps described in subparagraph (A); and

(D) an analysis of the implications for personal privacy that would result if air carriers were required to take the steps described in subparagraph (A).

(c) Report.— Not later than 1 year after the date of the enactment of this Act [October 9, 1996], the Secretary shall transmit to Congress a report containing the model plan and recommendations developed by the task force under subsection (b).

**Statutory Construction**

Section 705 of title VII of Public Law 104–264 provided that: “Nothing in this title [enacting this section and section 1136 of this title, amending section 1155 of this title, and enacting provisions set out as notes under this section and section 40101 of this title] or any amendment made by this title may be construed as limiting the actions that an air carrier may take, or the obligations that an air carrier may have, in providing assistance to the families of passengers involved in an aircraft accident.”

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## Appendix 2

# EXTRACT FROM THE UNITED STATES' FAMILY ASSISTANCE PLAN FOR AVIATION DISASTERS

### PURPOSE

This plan, which is designed to serve as guidance, assigns responsibilities and describes how air carriers and Federal agencies should respond to an aviation accident involving a significant number of passenger fatalities and/or injuries. Organizations given authority or responsibility by legislation should develop procedures specific to their role. Supporting legislation is located in appendix A. [Note.— Appendices A, I and J are not included in this document. Refer to the complete version online at: <http://www.nts.gov/doclib/tda/Federal-Family-Plan-Aviation-Disasters-rev-12-2008.pdf>.]

### IMPLEMENTATION

This plan shall be executed in full or part by the Director, Office of Transportation Disaster Assistance (TDA), under the direction of the Chairman, National Transportation Safety Board (NTSB).

1. The Director shall recommend to the Chairman activation of the plan or portions thereof.
2. Federal agencies that have responsibilities under this plan shall maintain control of their resources while supporting the NTSB in accordance with the above references. (For purposes of this document, the terms "Federal agencies" and "Federal staff" include the American Red Cross.)
3. The NTSB, through its communications center, will initiate notification of Federal agencies to activate planning and will coordinate with the air carrier an appropriate response based on the magnitude of the aviation accident. As factual information about the accident is confirmed, additional resources may be requested to support the overall family assistance response. Upon instruction by the Director, the NTSB communications center will notify any or all of the following operations centers:
  - a) American Red Cross;
  - b) Department of State (DOS);
  - c) Department of Health and Human Services (DHHS) Secretary's Operations Center;
  - d) Federal Bureau of Investigation Operations Center (FBI-SIOC);
  - e) Federal Emergency Management Agency (FEMA);
  - f) Department of Defense (DOD); and
  - g) Department of Homeland Security (DHS).
4. Under the Aviation Disaster Family Assistance Act of 1996, the NTSB serves as the coordinator for the integration of Federal government resources and the resources of other organizations to support efforts of local and State governments and the air carrier to meet the needs of aviation disaster victims and their families. Crisis intervention, victim identification and forensic services, communication with foreign governments, and translation services are among Federal government services available to help local authorities and the air carrier respond to a major aviation disaster.

Local government emergency services should provide a representative from the Joint Family Support Operations Center (JFSOC) to participate in the local, air carrier, and Federal response. Details of the JFSOC are provided in appendix C. The layout of the JFSOC will depend on the facilities and rooms available near the disaster location.

5. Local authorities maintain the same jurisdictional responsibilities in regard to the initial accident response, recovery, security, site cleanup, and medical examiner operations, and the NTSB leads the aviation accident investigation. If a criminal act is believed to have caused the accident, the FBI becomes the lead investigative agency and is supported by the NTSB.

6. The air carrier has a fundamental responsibility to victims and their families affected by an aviation disaster. The air carrier is primarily responsible for family notification and all aspects of victim and family logistical support. The Aviation Disaster Family Assistance Act of 1996 (appendix A) and the Foreign Air Carrier Family Support Act (appendix A) place the air carrier, as well as other support organizations, in a collaborative relationship with families.

7. All personnel involved in providing services to assist victims and their family members should be trained in crisis response and must demonstrate compassion, technical expertise, and professionalism. Personal information provided by family members and victims through discussions, interviews, counseling, or any other form of information exchange should remain confidential and shall not be used for future litigation purposes.

## **SCOPE**

This plan pertains to any domestic or foreign commercial aviation accidents occurring within the United States, its territories, possessions, and territorial seas.

## **ASSUMPTIONS**

1. The Chairman of the NTSB will request Federal agencies to support the NTSB in accordance with the references included in appendix A.

2. Pursuant to the Aviation Disaster Family Assistance Act of 1996, the NTSB has the primary Federal responsibility for facilitating victim recovery and identification. It is understood that the presiding medical examiner or coroner is legally responsible for victim recovery and identification. (It is noted that there are differences between a medical examiner and coroner. For the purposes of this document, the term "medical examiner" is used interchangeably with "coroner.") To ensure adequate resources for medical examiners to accomplish their jurisdictional responsibilities, the NTSB coordinates the resources of various Federal agencies to effect victim recovery and identification. The NTSB supports the use of State and local mass fatality teams and other trained experience personnel under the direction of the medical examiner.

3. For purposes of this document, the terms "family", "family members", "friends" and "relatives" are used to refer to those people who have a relationship to a person involved in the accident. Although these terms have slightly different meanings, they are used interchangeably throughout the document.

4. Large numbers of family members of those killed in the accident will travel to the city closest to the accident and will utilize the accommodations provided by the air carrier. Other family members will remain at their local residences.

5. Most, if not all, families of those seriously injured will travel to where the injured are hospitalized; once the injured are released from the hospital, these family members and the injured will return home.

6. Implementation of this plan assumes that the accident will occur in a geographical area where the resources described above are available. Air carriers operating equipment over remote areas (for instance, Alaska) should contact NTSB TDA about modifications needed for accident response in those locations.

## **GENERAL MISSION TASKS**

The family assistance mission tasks following an aviation accident are as follows:

1. Notify family members of victims involved in the aviation accident based on manifest documents and other available information.
2. Monitor search and recovery operations, and offer assistance as needed.
3. Determine the status and location of injured victims.
4. Obtain approval of the local medical examiner for Federal assistance (for instance, the Disaster Mortuary Operational Response Team (DMORT) to assist in the identification of fatalities and the notification of their families.
5. Provide crisis intervention, logistical support, and services to victims and their family members.
6. Provide daily briefings to families on the progress of recovery efforts, identification of victims, the investigation, and other areas of concern.
7. Arrange for a memorial service, if desired by families.
8. Provide for the return of personal effects.
9. Maintain contact with victims and their families to provide continuous updates regarding the progress of the investigation and other related matters, both at the accident location and once the families have returned home.

## **RESPONSIBILITIES**

Seven Victim Support Tasks (VSTs) identify the response requirements assigned to participating organizations. The organizations responsible for each of the seven VSTs are as follows:

- VST 1–NTSB
- VST 2–Air Carrier
- VST 3–American Red Cross (Family Care and Mental Health)
- VST 4– DHHS/ASPR and DOD (Victim Identification Services)
- VST 5–DOS (Assisting Families of Foreign Victims)
- VST 6–DHS/FEMA (Communications)
- VST 7–DOJ (Assisting Victims of Crime)

Because each aviation accident is unique, the following responsibilities may be employed fully, partially, or not at all.

### **VICTIM SUPPORT TASK 1–National Transportation Safety Board**

1. Coordinate Federal assistance and serve as a liaison between the air carrier and family members.
2. Provide an NTSB toll-free number and e-mail address ([www.assistance@ntsb.gov](mailto:www.assistance@ntsb.gov)) to family members for obtaining information on the victim recovery and identification effort, accident investigation, and other concerns. This number will normally be provided to families during the final family briefing. The NTSB will coordinate with the air carrier to provide, through the air carrier's family representatives, this contact information to families who do not travel to the accident city.
3. Request a copy of the passenger manifest from the air carrier.

4. Review with the air carrier the logistical needs of the families, giving special consideration to security, quality of hotel rooms and facilities, and privacy for family members.
5. Integrate local and Federal government officials and air carrier staff to form a JFSOC to coordinate services and activities for families.
6. Coordinate assistance efforts with local and State authorities, including the medical examiner, local/county/State law enforcement, emergency management agency, hospitals, and other emergency support personnel.
7. Maintain communications with the air carrier to receive updates regarding the notification status of victims' families.
8. Conduct daily coordination meetings with the air carrier and local and Federal government representatives to review daily activities, resolve problems, and synchronize future family support operations and activities. See appendix D for an example of information required for the daily coordination meeting.
9. Provide and coordinate family briefings both with families at the accident city and with families who remain at home.
10. Discuss with the medical examiner the capabilities of his or her staff to conduct victim identification. Examine the capabilities of local/State mass fatality teams and procedures to use the team in the identification process. Discuss strategies for collecting ante-mortem information and other factors influencing victim identification. Discuss the use of DMORT and standard procedures DMORT uses that support NTSB efforts.
11. Discuss with the medical examiner the subject of victim identification, in particular the use of DNA analysis. Explain that the NTSB typically coordinates with the Armed Forces DNA Identification Laboratory for DNA identification.
12. At the discretion of the NTSB Investigator in Charge (IIC), coordinate a visit to the accident site for family members. Planning for such a visit will begin only after the IIC agrees that such a visit will not impede the investigation and is believed to be safe for family members.
13. Provide information releases to the media, in coordination with the NTSB Office of Public Affairs, pertaining to the types of Federal support available to assist family members.
14. Maintain contact with family members to keep them informed about the victim recovery and identification effort, accident investigation, and other accident-related concerns.
  - a) Approximately 6 to 8 months after the date of the accident, factual reports written by the NTSB investigators are made available in a public docket. Families should be informed prior to the factual report being made public that they may request a copy of the report from the NTSB. The report will be provided to them at no cost.
  - b) If the NTSB decides a public hearing is necessary for the purpose of the investigation, families will be notified of the date, time, and location. Such a hearing is designed to gather additional facts from individuals selected to testify. Travel and lodging for the hearing is at the family's expense. Families will be provided seating and copies of official exhibits discussed at the hearing. NTSB public hearings are broadcast via the Internet through the NTSB website at [www.nts.gov](http://www.nts.gov).

Vision 100 states the following:

An assurance that, in the case of an accident in which the National Transportation Safety Board conducts a public hearing or comparable proceeding at a location greater than 80 miles from the accident site, the air carrier will ensure that the proceeding is made available simultaneously by electronic means at a location open to the public at both the



origin city and destination city of the air carrier's flight if that city is located in the United States. (49 USC 41113 (b) (18))

Based on the facts of the accident, location requirements will be reviewed on a case-by-case basis.

c) Families will be informed of the date, time, and location of any Board meeting to be held at the NTSB, Washington, D.C., headquarters (travel will be at the families' expense). At the meeting, the NTSB investigative staff will present to the Board a draft accident report for member discussion and approval. This report will document the NTSB's findings, determination of the probable cause of the accident and recommendations to prevent future aviation disasters. Board meetings are broadcast via the Internet through the NTSB website ([www.nts.gov](http://www.nts.gov)). See VST 2 "Air Carrier", number 30, and the Vision 100 legislation (49 USC 41113 (b) (18)) for additional information.

15. If the accident is determined to be the result of a criminal act, the NTSB TDA staff may assist the FBI Office for Victim Assistance (OVA) in family assistance support.

16. Consolidate and review After Action Reports (AARs) to resolve problem areas and update operating plans and procedures.

#### **VICTIM SUPPORT TASK 2--Air Carrier**

1. In addition to accident notification required by Title 49 Code of Federal Regulations (CFR) 830.5, notify the NTSB communications center immediately upon knowledge of an accident. The following information must be provided:

- Place (or general vicinity) of accident, number of passengers and crew (based on preliminary departure information), and number of injuries and fatalities (if known).
- Flight number, origination, connection points, final destination, demographics of passengers (if known), and whether the flight was domestic or international.
- Name and telephone number of the person/persons in charge of the air carrier's humanitarian response, passenger manifest reconciliation, and family notification process.
- Name, telephone number, and location of the facility designated as the Family Assistance Center (FAC) and JFSOC.

2. Provide the NTSB, upon request, the most current reconciled copy of the passenger manifest. Each copy should be numbered or annotated indicating the date and time so that it is distinguishable from previous copies.

3. Provide a reliable publicized toll-free telephone number with sufficient capacity to handle the anticipated call volume. Although not required, consider providing teletypewriter (TTY) capability.

4. When disseminating the toll-free number, ask the media to request that the toll-free number be used only by those who have reason to believe a family member or friend was a passenger on the accident flight.

5. Emphasize in the media notice that, upon initial contact with the air carrier, family members will receive basic accident flight and point-of-contact information as the first steps of air carrier humanitarian support.

6. Ask the media to reemphasize the name of the carrier(s) involved, the accident flight number, airport of origination, connection, and final destination.

7. Provide the media with continuous updates on the progress of the notification process, such as providing the number of victims' families notified as of a certain time and the number remaining to be notified. This process will continue until all victims' families have been notified.
8. Modify your carrier's normal "on-hold" messages during an accident to eliminate music, sales information, and similar non-accident related messages.
9. Provide timely notification to family members of passengers. As required by AIR 21, at a family member's request, inform the family if the passenger's name appears on a preliminary manifest for the accident flight. Updated information on passengers will be provided to family members as it becomes available. (AIR 21 states the following: "...upon request of the family of a passenger, the air carrier will inform the family of whether the passenger's name appeared on a preliminary passenger manifest for the flight involved in the accident.")
10. Provide notification to family members prior to releasing passenger names to the public. Give family members adequate time to notify other family members and friends prior to public release of the victim's name. Although it may be necessary for some families to have more than one contact point with the air carrier, your carrier may request that families designate one primary contact point for purposes of sharing information. This will allow your carrier to use its personnel in a more efficient manner. The carrier is under no obligation to release the victim's name if family members request otherwise.
11. Inform family members at the time of notification or soon thereafter of American Red Cross family care and crisis assistance available at the FAC and after families return home. Relay requests for crisis assistance to the American Red Cross representative, who will coordinate on-scene or home area contacts for family members. For family members who do not travel to the accident location, the American Red Cross personnel on-scene can coordinate personnel at the family member's location to provide assistance.
12. Secure facilities at departure, arrival, and connecting airports for family members and friends who may be gathering. This facility is designed to allow family members to grieve in private, shielding them from the media and solicitors; it serves as a secure location where families can receive continuous updates regarding the reconciliation of the passenger manifest and other accident information. Be prepared to provide the necessary assistance to special needs populations per the American with Disabilities Act (ADA). Arrange for one of your carrier's employees or agents who has been trained in crisis response to meet privately with family members once they have arrived at the facility secured. Employees or agents should be prepared to inform family members that their loved ones were aboard a plane that crashed.
13. Secure a facility to be used as the FAC. Factors to consider in selecting a facility are quality of rooms and size of facility, privacy for family members, ability to secure the facility, and proximity to the accident site and medical treatment facilities. See appendix B.
14. Make provisions for a JFSOC to include space, communication, and logistical support for the local and Federal staff. Details of the JFSOC are provided in appendix C.
15. Provide logistical support to family members who desire to travel to the accident city (or to a hospital location) that includes, but is not limited to, transportation, lodging, meals, security, communications, and incidental expenditures.
16. Assist family members as they travel to and from the city by informing flight crews and airport personnel about family members aboard particular flights. At departure, connecting, and arrival airports, family members should have air carrier personnel meet and assist them while on airport grounds. If necessary, seek assistance from other carriers with a larger presence at the airport. Assist family members as they depart the accident city and provide a contact person who will continue to be the air carrier's interface with family members following their return to their residence.

17. Provide a contact person to meet family members as they arrive and accompany them at the accident city. This person will be responsible for assisting the family while in the accident city and should continue to be the air carrier interface with the family until the family returns to their residence. At that time the air carrier may decide to designate a single contact person for all family members. This point of contact should be available through a toll-free phone number.
18. Maintain daily contact with family members who do not travel to the accident city by providing a contact person from the air carrier until the on-site investigation has concluded.
19. Designate an individual who will be the air carrier's representative to the Director of NTSB TDA. This individual will travel to various locations, such as the accident site, morgue, JFSOC, and FAC with the Director of NTSB TDA. The designated individual should have the authority, or ready access to those who have sufficient authority, to make decisions on behalf of the air carrier.
20. Establish an exclusive badge system to identify family members. In unique cases, the NTSB, in coordination with the air carrier, will decide on the specifications of the badging system.
21. Participate and provide operational updates during daily coordination meetings to review daily activities, resolve problems, and synchronize future family support operations and activities at the FAC. This information is helpful in planning logistical support (such as meals, lodging, and transportation) and allows for an update of current and future support operations. The type of information typically discussed during the daily coordination meetings is located in appendix D.
22. Make provisions for private areas within the hotel for medical examiner personnel and the DMORT FAC Team to collect ante-mortem information and DNA reference samples from families. Provide quiet space and communications for DMORT and medical examiner personnel to telephonically collect ante-mortem information from family members who are not at the FAC. Secure a sufficient number of rooms for DMORT/crisis counseling use. Based on NTSB experience, the number of rooms required ranges from 4 to 12, depending on the number of fatalities.
23. Be aware that crisis counseling and DMORT facilities are also used as venues to inform families when positive identification has been made. By having the medical examiner or DMORT team representative located within the FAC, transportation of victim's remains and other logistical considerations can be better coordinated. Support requirements for planning purposes are in appendix C.
24. Provide DOS representatives the necessary information regarding foreign passengers to facilitate interaction with appropriate foreign government embassies.
25. Establish a liaison with the American Red Cross at each medical treatment facility to monitor the status of injured victims and to provide assistance to their families.
26. Develop procedures for the handling of personal effects released by the NTSB or the FBI if the aviation disaster is declared a criminal act. Consider utilizing a third party that has experience in the return of personal effects associated with aviation disasters. As required by law, provisions will be made for unclaimed possessions to be retained for at least 18 months from the date of the accident. NTSB has developed guidelines for the on-scene search for personal effects.
27. Consult with family members about any air carrier-sponsored monument, including any inscriptions.
28. As required by the Aviation Disaster Family Assistance Act of 1996, provide reasonable reimbursement to the American Red Cross for the services provided to the family, air carrier, and supporting personnel.
29. Provide the same support and treatment to families of non-revenue passengers or any other victim of the accident (for instance, ground fatalities) as is provided for revenue passengers.

30. If the NTSB conducts a public hearing or comparable proceeding at a location more than 80 miles from the accident site, ensure that a simultaneous transmission of the proceeding is available to family members at a location open to the public at both the origin city and destination city of the accident flight.

31. In the event of an accident outside the United States, AIR 21 legislation requires "...in the event that the air carrier volunteers assistance to United States citizens within the United States with respect to an aircraft accident outside the United States involving major loss of life, the air carrier will consult with the Board and the Department of State on the provision of the assistance."

32. In the event the investigation determines the accident is the result of a criminal act, coordinate with the FBI OVA in arranging meetings with family members to explain their rights as victims of a Federal crime.

### **VICTIM SUPPORT TASK 3—American Red Cross—Family Care and Mental Health**

1. An American Red Cross Critical Response Team (CRT) is deployed from the American Red Cross National Headquarters Disaster Operations Center (DOC) and serves as the functional leadership of family care and crisis intervention during the aviation accident. The CRT will support the local American Red Cross response and manage any spontaneous volunteers.

2. Assign a representative to the JFSOC to coordinate and address American Red Cross-related issues and family requests for assistance.

3. Coordinate and manage the numerous organizations and personnel offering counseling, religious and other support services to the operation. Create a staff processing center, operated away from the FAC, to screen, monitor, and manage personnel (employee and volunteer staff). The staff processing center will also be responsible for developing an exclusive badge system for personnel, matching staff skills with organizational needs, assigning work schedules, briefing and debriefing of support staff, and planning for future activities.

a) Qualified local resources should be integrated with American Red Cross personnel for crisis and grief counseling, food services, administrative assistance, and other support services to family members and support organizations.

b) Crisis and grief counseling for family members who travel to the accident city should be coordinated with air carrier personnel.

4. Employ an accounting system to accurately record cost data in specific cost categories for reimbursement by the air carrier.

5. Assess the needs and available resources of other crisis support agencies, coordinate with them to ensure ongoing emotional support for workers during the operation, and provide exit interviews before departure.

6. Establish a liaison with the air carrier at each supporting medical treatment facility to monitor the status of injured victims and to provide assistance to their families.

7. Coordinate with the air carrier to establish areas in the FAC for families to grieve privately.

8. If deemed necessary, deploy a Critical Response Childcare Team (CRC) to coordinate on-site childcare services for families who arrive with young children. Ensure the CRC Team is equipped with the necessary supplies to operate a childcare center along with specially trained staff qualified to attend to children in the aftermath of a traumatic disaster.

9. If deemed necessary, deploy a Spiritual Care Response Team (SRT) to coordinate on-site spiritual care. The SRT is trained to provide spiritual care to an array of faiths and will manage spiritual care for the victims and their families. If

desired by the families, the SRT will coordinate the planning for a suitable interfaith memorial service within the first few days following the accident. The SRT deploys an events manager to begin planning the memorial service upon a request from the family members. The American Red Cross Events Manager will work closely with the NTSB, the air carrier, and local, county, and State governments to plan a suitable memorial site. The American Red Cross will also deploy a Life Safety and Asset Protection manager to the JFSOC to manage safety and security concerns related to the memorial.

10. If deemed necessary, arrange a memorial service for any future burial of unidentified remains.

11. Provide families, at their request, with referrals to mental health professionals and support groups in the family member's local area.

12. Provide additional support to affected special needs or other demographically or culturally diverse populations as deemed necessary.

#### **VICTIM SUPPORT TASK 4—Department of Health and Human Services, Assistant Secretary for Preparedness and Response—Victim Identification Services**

1. At the time of an accident and following notification by the NTSB, activate the National Disaster Medical System (NDMS) and the appropriate DMORT team personnel, supplies, and equipment to assist in the management of victim identification.

2. Assign a representative to the JFSOC to address DMORT-related issues.

3. Assign the necessary DMORT team members to assist the medical examiner with victim identification and mortuary services. The configuration of team and skills required will be determined by the details of the accident and the capabilities of the local medical examiner.

4. Follow the "DMORT Standard Operating Procedures for National Transportation Safety Board Activations."

5. Provide, if necessary, a morgue facility, a DMORT Portable Morgue Unit (DPMU), and the necessary equipment and supplies to augment the local medical examiner's capabilities.

6. Monitor the status of all incoming ante-mortem records to include dental, medical, and DNA data to ensure that all records have been received. If not, take steps to obtain the records and radiographs.

7. Employ a standard ante-mortem questionnaire and disposition of remains form that can be adapted to meet local medical examiner and State requirements. The disposition of remains form will be used to obtain directions from the lawfully authorized next of kin (NOK) regarding what he or she desires the medical examiner to do with remains that may later be identified as those of his or her family member. Information collected from family members is strictly confidential and is ultimately under the control of the medical examiner.

8. Using a specially trained FAC team, interview family members who are both on and off site for information regarding ante-mortem identification and disposition of remains.

9. Coordinate with the medical examiner to integrate qualified personnel who are providing assistance to the medical examiner's office into the morgue operation.

10. If necessary, assist the medical examiner in notifying family members of positive identification, including an explanation of how identification was determined.

11. Ensure the accuracy of the chain of custody by performing a check of documentation and remains prior to their release to the designated funeral director.
12. Assist the medical examiner with the reassociation of remains following the identification process. This may occur weeks or months after the accident.
13. Using information gathered from the ante-mortem interview, provide the NTSB with contact information for the NOK (addresses, telephone numbers, e-mail addresses) and the NOK's relationship to the victim.

**Support of VST 4—Department of Defense—Victim Identification Services (as required)**

1. Provide the use of a military installation, such as the Charles C. Carson Center for Mortuary Affairs located at the Dover Air Force Base, to support mortuary operations.
2. Provide resources from the Office of the Armed Forces Medical Examiner (OAFME) and Armed Forces DNA Identification Laboratory (AFDIL) to assist in the identification effort and to conduct appropriate DNA comparison testing on specimens submitted by the medical examiner. OAFME and AFDIL personnel may be asked to travel to the accident site to assist with victim identification.
3. Provide available medical and dental records and DNA reference samples of fatally injured passengers who may have ante-mortem records based on prior or current military service.

**VICTIM SUPPORT TASK 5—Department of State—Assisting Families of Foreign Victims (as required)**

1. Assign a representative to the JFSOC to coordinate DOS-related issues with other members of the operations center staff. Assist in obtaining dental and medical records and DNA reference samples from foreign families. Respond to family member requests for information and assistance as appropriate. Provide additional personnel as needed for accidents involving significant numbers of foreign passengers, particularly those involving international flights.
2. Provide official notification to foreign governments of citizens involved in the accident. Such notifications will take place after obtaining necessary information on foreign passengers from the air carrier.
3. Assist the air carrier in notifying United States citizens who may reside or are traveling outside the United States that a member of their family has been involved in an aviation accident.
4. Provide interpretation/translation services (via DOS staff or a contracted provider) to facilitate communications with the victim's family and all interested parties. For family briefings held at the FAC or similar location or activity, provide simultaneous interpretation/translation services in multiple languages as needed.
5. Provide logistical and communications support to the extent practicable, in establishing contact with foreign authorities and individuals abroad to aid the air carrier and Federal support staff in fulfilling their duties under the laws referenced above.
6. Assist foreign air carrier employees and families of foreign victims with entry into the United States and with the extension or granting of visas to eligible applicants.
7. Facilitate necessary consulate and customs services for the return of remains and personal effects to the country of destination.
8. Assist the medical examiner in acquiring the necessary information to facilitate the identification of foreign victims and to complete death certificates.

**VICTIM SUPPORT TASK 6—Department of Homeland Security/Federal Emergency Management Agency—Communications (as required)**

1. Assign a representative to the JFSOC to coordinate with local and State officials concerning emergency management-related issues.
2. Provide voice and data communication assets to facilitate communication from the accident site to the NTSB Communications Center.
3. Upon the request of the NTSB Office of Public Affairs, provide personnel to assist in public information dissemination, to include assistance in establishing and staffing external media support centers at the accident site, wreckage hangar, FAC, airport, and other areas that may attract media interest.

**VICTIM SUPPORT TASK 7—Department of Justice—Assisting Victims of Crime (as required)**

1. Provide to the NTSB, upon request, an FBI Disaster Squad with sufficient personnel to obtain fingerprint identification of accident fatalities. This team will work with the medical examiner and the DMORT personnel at the morgue location.
2. Provide to the NTSB, upon request, an FBI Evidence Response Team (ERT) and other FBI Laboratory assets to assist with victim recovery operations under the direction of the medical examiner.
3. Provide to the NTSB, upon request, FBI Office for Victim Assistance Rapid Deployment Team (VARDT) members to assist the NTSB TDA in unique circumstances, such as simultaneous accident responses.
4. Perform the following responsibilities only if the air carrier disaster is officially declared a criminal act:
  - a) Coordinate Federal assistance and serve as the liaison between the air carrier and family members.
  - b) Provide an FBI toll-free number for family members to obtain information on the victim recovery and identification effort, investigation, and other concerns. This number will normally be provided to families on site during the initial family briefing and repeated in subsequent briefings. Coordinate with the air carrier to have air carrier family representatives provide the toll-free number to the families who do not travel to the accident city.
  - c) Establish a special web page for the victims' families for the purpose of sharing updated information and maintaining ongoing communication with victims and families throughout the duration of the investigation.
  - d) Review with the air carrier logistical family support with special consideration toward security, quality of rooms and facilities, and privacy for family members.
  - e) Oversee the establishment and management of the JFSOC and the FAC. Information on FAC operations can be found in appendix B.
  - f) Integrate local and Federal government officials and air carrier staff to form a JFSOC to facilitate close coordination of services and activities.
  - g) Assist the air carrier, if requested, with finding NOK that have not been notified of their family member's involvement.
  - h) Conduct daily coordination meetings with the air carrier and local and Federal government representatives to review daily activities, resolve problem areas, and to synchronize future family support operations and activities. Examples of information needed at the daily coordination meeting are in appendix D.

- i) Provide and coordinate family briefings for family members at the accident city and for those who remain at home. Conduct in-person family briefings at the FAC. Conduct briefings for off-site families via telephone conference bridges.
- j) Provide information to victims and families regarding their rights and available services related to their status as victims of a Federal crime.
- k) Maintain contact with family members to keep them informed about the progress of the investigation and to continue to meet their future needs.

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## Appendix B

### FAMILY ASSISTANCE CENTER OPERATIONS

The Family Assistance Center (FAC) is the focus of services for family members when they travel to the accident location. FACs are designed to meet the immediate and short-term needs of family members: safety, security, physiological needs (food, sleep), information (about the victim recovery and identification process, and the investigation), and crisis/grief counseling. In addition, family members may be interviewed to gather ante-mortem information about the victims and to submit DNA samples to facilitate victim identification. The air carrier is required to provide the FAC location. Most FACs are established at hotels or similar facilities. Consideration should be given to a facility that has multiple meeting rooms, a large ballroom, up-to-date information technology infrastructure, and food services. Arrangements are coordinated by the air carrier and the NTSB.

The NTSB TDA Director manages FAC operations or assigns a designee in her/his absence.

Staff present at the FAC should include the following:

- 1) Air carrier support team personnel and their associated management team
- 2) NTSB TDA staff
- 3) Local law enforcement
- 4) American Red Cross personnel, including approved childcare providers, spiritual care staff, health professionals and crisis counselors
- 5) Medical examiner staff
- 6) Personnel designated by the medical examiner to conduct ante-mortem interviews
- 7) Personal effects management contractors working for the air carrier
- 8) Local support agency personnel

A number of critical functions will take place at the FAC and must be closely coordinated; they include the following:

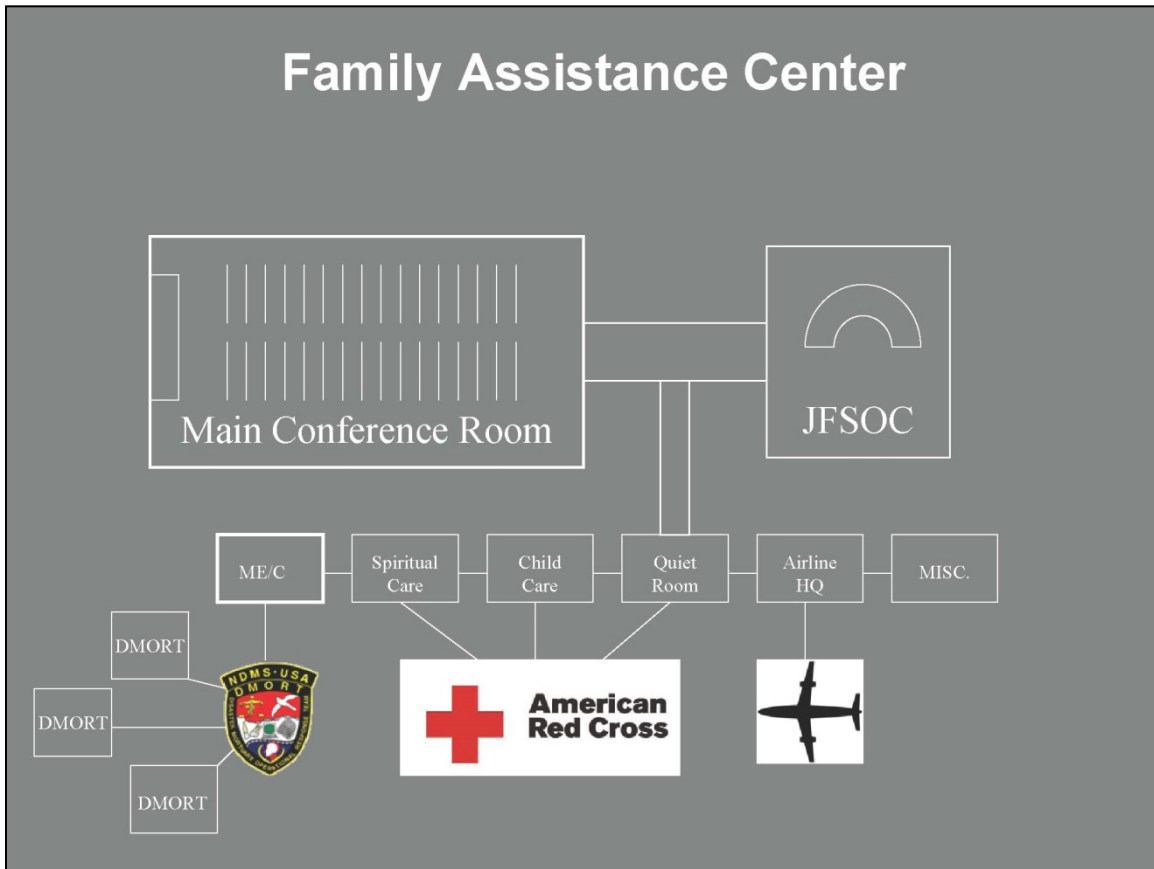
- 1) Safety and security, including badging of staff and family members
- 2) NTSB daily briefings, typically held twice daily
- 3) Ante-mortem interviews conducted by the medical examiner personnel or their designee
- 4) Childcare, spiritual care, and crisis counseling (conducted by the American Red Cross)
- 5) Death notifications by the medical examiner

Typically, the FAC will remain operational until the decedents have been identified, or until families are notified that the identification process will continue for an extended period of time. If this should occur, families will be contacted at home regarding positive identifications.

It is essential that each agency in the FAC understand its role in the support of families.

Not all family members will travel to the FAC. If there are family members already residing in the accident city, they will most likely visit the FAC to receive updates at the briefings and then return home. Other family members will participate in the briefings via a telephone conference bridge.

**Schematic of a Family Assistance Center**



## Appendix C

### JOINT FAMILY SUPPORT OPERATIONS CENTER

The Joint Family Support Operations Center (JFSOC) is an important element in the control and coordination of the responses and resources of supporting organizations involved in an aviation accident.

The JFSOC is a central location where participating organizations are brought together to monitor, plan, coordinate, and execute a response operation maximizing the utilization of all available resources. Communication and sharing of information continue to be challenges to a successful emergency response. The JFSOC is designed to address these challenges.

Organizations normally involved in the JFSOC are the following: NTSB, air carrier, the American Red Cross, local government and law enforcement, and supporting Federal agencies. Depending on the extent of the disaster, other organizations may also be involved in the JFSOC.

The JFSOC and one or more of the organizations involved (listed above) provide the following:

- Serve as the central point for coordination and sharing of information among participating organizations.
- Monitor ongoing family support activities and track mission activities of each organization, such as the status of the available resources.
- Maintain a current list of locations and key telephone numbers of participating organizations and personnel.
- Manage and coordinate requests for services.
- Maintain a daily journal of organizational activities and responses.

Agency representatives assigned to the JFSOC are responsible for the following tasks:

- Maintain current status of family support activities.
- Prepare information for the NTSB family website.
- Provide information for the daily family briefing/conference bridge.
- Brief participating agencies daily about activities concerning family support.
- Coordinate and share information among all organizational representatives.
- Maintain locations and telephone numbers of organizational entities along with key personnel (for instance, FAC, medical examiner, staff processing center, NTSB investigators, air carrier, accident site, supporting organizations, local law enforcement, and local government).
- Maintain and update daily plans, incident action plans, and plans for future operations.

- Maintain the status and location of injured victims.
- Maintain the status of victim identification effort, utilizing information provided by medical examiner personnel or their designee.
- Update information on numbers of families at the accident city and projected departures/arrivals (24/48 hours).
- Track the progress of ante-mortem interviews and ante-mortem data collection.

An aviation accident may take place anywhere. Therefore, it is necessary to remain flexible in planning the location of the JFSOC, taking into consideration the location and the severity of the accident. The location of the JFSOC will be determined on the basis of available space, in such places as hotels, local government buildings, or mobile command posts.

The air carrier is responsible for securing space to accommodate family members, the FAC, and the JFSOC. The involved air carrier should plan on securing a hotel area that can accommodate the people, equipment, and activities in the JFSOC. Although hotel space for family members and the FAC will be at a premium, the JFSOC should be located in the same hotel. A small ballroom or large conference room is appropriate. Should the air carrier have difficulty securing space, the NTSB will contact local authorities to determine the availability of suitable space.

The following is a general description of the duties and responsibilities of agency representatives assigned to the JFSOC:

**1. Coordinator:** The JFSOC Coordinator represents the NTSB and is charged with managing the day-to-day activities of the JFSOC. The coordinator may do any of the following tasks: assign responsibilities to JFSOC members, facilitate the exchange of information among the JFSOC participants, ensure that critical information is kept current, inform other participants of significant developments, collect information that may be used for family briefings, ensure that individual logs are kept current, coordinate with NTSB headquarters regarding information to be placed on the Board's special family website, and perform other duties relating to the specific requirements of the accident response.

**2. Deputy Coordinator:** A Deputy Coordinator may be designated to assist the Coordinator. The Deputy Coordinator may be from the air carrier or from the local emergency management agency.

**3. Administrative Officer:** An Administrative Officer will assist the Coordinator with administrative functions, such as preparing drafts of documents, collecting and posting logs, assembling clips of media coverage of the accident, providing supplies, and performing other duties relating to the specific requirements of the accident response.

**4. Air carrier representative:** The air carrier representative serves primarily in a coordinating role for the carrier. Responsibilities include passing along information to the carrier's command center regarding positively identified passengers (after families have been notified); addressing questions related to current and future support provided to families by the air carrier; providing updates regarding other agencies' current and future plans and developments; scheduling meetings and related agendas; maintaining a daily log; monitoring status of injured victims and numbers of family members on and off site; providing information for daily briefings to family members; and updating other JFSOC participants on the carrier's activities and developments.

**5. Local government representative:** The local government representative is the coordinating point for JFSOC participants on issues of security of the morgue, FAC, hotels for family members, and other designated sensitive areas. The representative is also responsible for keeping his or her organization informed of family affairs activities and meetings, updating other JFSOC participants on the local government's activities and developments, maintaining a daily log, providing information for daily briefings to family members, identifying local assets and resources that can be utilized to support the operation, and assisting other participants in their understanding of the local community and their leaders.

6. **Medical examiner representative:** The medical examiner representative serves as a liaison between the victim identification activities at the morgue, the ante-mortem interview process at the FAC, and the DMORT FAC team. They may also provide information on the victim identification process at the family briefings.

7. **American Red Cross representative:** The American Red Cross representative assigned to the JFSOC coordinates the American Red Cross' operations in the FAC and the staff processing center. Responsibilities include responding to questions that relate to current and future support provided to families and support workers, answering questions related to persons and organizations who want to volunteer services or support, informing the American Red Cross of scheduled meetings, maintaining a daily log, monitoring status of support personnel in the FAC and other sites, answering or redirecting calls from family members who may be off site, providing information for daily briefings to family members, and updating other JFSOC participants regarding operational activities and developments.

8. **DOS representative (if required):** The DOS representative serves in a coordinating role between the JFSOC and the DOS. The representative will coordinate issues involving foreign passengers and the support they will need from DOS, the victim's embassy/consulate, and other participants of the JFSOC. Other tasks include maintaining a daily log, monitoring status of foreign victims and their families, providing advice on cultural issues, answering or redirecting calls from foreign government officials, providing information for daily briefings to family members, and updating other JFSOC participants on the organization's activities and developments. If foreign consulate officials participate in the activities of the JFSOC, the DOS representative will serve as their sponsor.

9. **DOJ/FBI OVA representative (if required):** DOJ/FBI OVA will only be involved in the JFSOC when the cause of the disaster is suspected to be of criminal intent. The representative serves primarily in a coordinating and informational role for DOJ/FBI.

10. **FEMA representative (if required):** The FEMA representative is not normally involved in the JFSOC, unless the disaster requires substantial Federal government assistance. For example, a disaster that occurs in a highly populated area causing severe structural damage and a substantial number of ground casualties will require a FEMA representative at the JFSOC. The representative will be primarily responsible for coordinating the local and State emergency management agency efforts with the family support operation.

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## Appendix D

### JOINT FAMILY SUPPORT OPERATIONS CENTER DAILY STATUS REPORT INFORMATION

1. Number of families notified/number pending notification	<b>Air Carrier</b>
2. Number of families on site/number of families at home	<b>Air Carrier</b>
3. Number of total family members at the hotel	<b>Air Carrier</b>
4. Number of families expected to arrive within the next 24 hours	<b>Air Carrier</b>
5. Number of families expected to depart within the next 24 hours	<b>Air Carrier</b>
6. Number of families at home who were contacted by their air carrier representative within the last 24 hours	<b>Air Carrier</b>
7. Status of injured personnel and location of family members	<b>Air Carrier</b>
8. Number of families on site who have requested American Red Cross assistance and have been assisted by American Red Cross personnel within the last 24 hours	<b>American Red Cross</b>
9. Number of families at home who have requested American Red Cross assistance and have been contacted by their American Red Cross representative within the last 24 hours	<b>American Red Cross</b>
10. Number of workers who have received American Red Cross assistance in the last 24 hours	<b>American Red Cross</b>
11. Number of injured emergency response personnel who have received American Red Cross assistance	<b>American Red Cross</b>
12. Status of ante-mortem data collection and DNA reference samples	<b>Medical Examiner</b>
13. Status of ante-mortem and disposition of remains interviews	<b>Medical Examiner</b>
14. Status of identification efforts	<b>Medical Examiner</b>
15. Status of families notified of positive identification	<b>Medical Examiner</b>
16. Status of the release of remains	<b>Medical Examiner</b>
17. Update on assistance provided to foreign families	<b>DOS</b>
18. Update on assistance provided to victims and families	<b>DOJ</b>

19. Number of Federal support personnel, to include DMORT and American Red Cross personnel on site and their locations	<b>All</b>
20. Remarks on daily activities	<b>All</b>
21. Remarks on activities scheduled for the next 24 hours	<b>All</b>

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## Appendix E

### SAMPLE FORMAT FOR AN AFTER ACTION REPORT

National Transportation Safety Board  
Director, Office of Transportation Disaster Assistance  
490 L'Enfant Plaza East, S.W.  
Washington, D.C. 20594-2000

Attn: Transportation Disaster Assistance

SUBJECT: (AVIATION ACCIDENT) AFTER ACTION REPORT

Describe such items as how the organization was organized, relationships to other organizations, what the organization's mission was, how many of the organization's personnel were involved, what other resources were provided, transportation and equipment requirements, date arrived/departed, daily activities, and any other information the organization feels important to add to this document. This outline is not intended to limit the content of the report.

Attach as separate enclosures discussion of specific aspects of the operation that were either successful or problematic.

The following format is provided:

Topic:

Discussion:

Recommendations:

Enclose any programs, associated ceremonial material, or video documentation.

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## Appendix F

### VICTIM IDENTIFICATION INFORMATION

The local medical examiner or coroner has the legal responsibility to identify the victims of an aviation disaster. In addition, he or she is legally responsible for determining cause and manner of death and completing death certification. Medical examiner and coroner offices vary greatly in terms of staff and facility size. Some offices may be able to handle an aviation disaster with existing staff and facilities, while other offices, particularly those in rural areas, may require assistance. The medical examiner or coroner should have a written mass fatality plan that will give a basic framework for a response and whether assistance will be required.

The Aviation Disaster Family Assistance Act of 1996 designates the NTSB to coordinate Federal assistance in response to aviation accidents. The responsibilities of the NTSB transfer to the FBI if the cause of the disaster is officially declared a criminal act.

The NTSB or the FBI can, at the request of the medical examiner or coroner, request the services of the DMORT to assist with fatality management and identification of victims. The NTSB or FBI can also request the delivery of the DMORT portable morgue. In addition, the Office of the Armed Forces Medical Examiner (OAFME) can provide assistance to the FBI for medico-legal investigation issues.

The process of victim identification in a transportation disaster is thorough, deliberate, and based on proven scientific methods. As a rule, personal effects removed from the remains are considered to be a presumptive method of identification used to suggest who the deceased may be. Positive victim identification requires comparison of ante-mortem (before death) records and samples, such as dental and medical radiographs, with similar information collected from the remains. Exact matches of unique biological characteristics found in both the ante-mortem and post-mortem records leads to a positive identification. Such methods include comparison of dental records and radiographs, comparison of fingerprints, comparison of bone structure in radiographs, comparison of healed fractures in radiographs, unique medical features (such as implants/prosthetics), and comparison of DNA.

In aviation disasters involving fragmented remains, identification is followed by the process of reassociating remains. Reassociation takes more time and is more complex than identification. Although a victim may be identified quickly using a single tooth, the ability to bring together the disassociated remains of victims relies primarily on DNA. DNA identification involves comparing DNA samples of the deceased to ante-mortem samples from relatives or a sample of DNA from the deceased obtained from clothing, a hairbrush, or a similar item containing skin or hair cells.

Once a positive identification has been made, the medical examiner office or a designee will notify the victim's legal NOK. At this point, the NOK decides on how and when the remains will be returned for burial/final disposition. Crisis support care and other support mechanisms will be available to the family during this process.

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## Appendix G

### VICTIM SUPPORT TASKS – CHECKLISTS

Victim Support Tasks
National Transportation Safety Board
<input type="checkbox"/> Coordinate Federal assistance and serve as a liaison between the air carrier and family members.
<input type="checkbox"/> Provide an NTSB toll-free number and e-mail address ( <a href="mailto:www.assistance@ntsb.gov">www.assistance@ntsb.gov</a> ) to family members for obtaining information on the victim recovery and identification effort, accident investigation, and other concerns.
<input type="checkbox"/> Request a copy of the passenger manifest from the air carrier.
<input type="checkbox"/> Review with the air carrier the logistical needs of families, giving special consideration to security, quality of hotel rooms and facilities, and privacy for family members.
<input type="checkbox"/> Integrate local and Federal government officials and air carrier staff to form a JFSOC to coordinate services and activities for families.
<input type="checkbox"/> Coordinate assistance efforts with local and State authorities, including the medical examiner, local/county/State law enforcement, emergency management agency, hospitals, and other emergency support personnel.
<input type="checkbox"/> Maintain communications with the air carrier to receive updates regarding the notification status of the victims' families.
<input type="checkbox"/> Conduct daily coordination meetings with the air carrier and local and Federal government representatives to review daily activities, resolve problems, and synchronize future family support operations and activities.
<input type="checkbox"/> Provide and coordinate family briefings both with families at the accident city and with families who remain at home.
<input type="checkbox"/> Discuss with the medical examiner the subject of victim identification, in particular the use of DNA analysis. Explain that the NTSB typically uses the Armed Forces DNA Identification Laboratory for DNA identification.
<input type="checkbox"/> Discuss with the medical examiner the capabilities of his or her office staff to conduct victim identification. Discuss the use of DMORT and the standard procedures used by DMORT in its work in support of NTSB responses.
<input type="checkbox"/> At the discretion of the NTSB IIC, coordinate a visit to the accident site for family members.
<input type="checkbox"/> Provide information releases to the media, in coordination with NTSB Office of Public Affairs, pertaining to the types of Federal support available to assist family members.
<input type="checkbox"/> Maintain contact with family members to keep them informed about the victim recovery and identification effort, accident investigation, and other accident-related concerns. <ul style="list-style-type: none"> <li>• Inform family members of the release dates for preliminary, factual, and probable cause statements.</li> <li>• Inform family members of the date, time, and location of the public hearing, if applicable.</li> <li>• Inform family members of the date, time, and location of the Board meeting, if applicable.</li> </ul>

If the accident is determined to be the result of a criminal act, the NTSB TDA staff may assist the FBI OVA in family assistance support.

Consolidate and review the AAR to resolve problem areas and to update operating plans and procedures.

### Victim Support Tasks

#### Air Carrier

Complete required accident notification as detailed in 49 CFR 830.5.

Notify the NTSB Communications Center of the accident and provide the following:

- Location or general vicinity of the accident
- Number of passengers on board
- Number of crew on board
- Number of injuries and fatalities (if known)
- Flight number
- Flight origination
- Flight connection points
- Flight's final destination
- Demographics of passengers (if known)
- Flight's designation as domestic or international
- Name and telephone number of the carrier's representative in charge of—
  - Carrier's humanitarian response
  - Passenger manifest reconciliation
  - Family notification process
- Name, telephone number and location of the facility designated for use as the FAC and JFSOC

Provide a reliable publicized toll-free telephone number with sufficient capacity to handle the anticipated call volume from victims' families and friends.

Coordinate public notification of the toll-free number with various media (television, radio, Internet) emphasizing the following:

- The number should only be used by people who have a reason to believe a family member or friend was a passenger on the accident flight.
- Initial calls to the air carrier will provide basic accident information and establish point of contact information for affected family members and friends in order to initiate humanitarian support.
- When referring to the toll-free telephone number, the following information should always be provided:
  - Name of the carrier(s) involved
  - The accident flight number(s)
  - The flight's airport of origination
  - The flight's connection point(s)
  - The flight's final destination

Modify normal "on-hold" messages. Eliminate music, sales information and similar non-accident-related messages.

<b>Victim Support Tasks</b>
<b>Air Carrier</b>
<input type="checkbox"/> Provide timely notification to family members and friends prior to releasing passenger names to the public. Refer to AIR 21. <ul style="list-style-type: none"> <li>○ Request family members to designate one primary point of contact for information sharing.</li> <li>○ Remember that the air carrier is under no obligation to release the names of victims if family members request otherwise.</li> </ul>
<input type="checkbox"/> Ensure notification of family members and friends of American Red Cross family care and crisis assistance available at the FAC.
<input type="checkbox"/> Ensure notification of family members and friends of American Red Cross family care and crisis assistance available after their return home (if applicable).
<input type="checkbox"/> Ensure that requests for crisis assistance are forwarded to the American Red Cross representative at the FAC.
<input type="checkbox"/> Provide media representatives with continuous updates regarding the following: <ul style="list-style-type: none"> <li>○ Progress of the notification process <ul style="list-style-type: none"> <li>• The number of victims' family members notified as of a certain time</li> <li>• The number of families remaining to be notified</li> </ul> </li> <li>○ This process continues until all victims' families have been notified.</li> </ul>
<input type="checkbox"/> Provide the NTSB, upon request, with the most current reconciled copy of the passenger manifest. <ul style="list-style-type: none"> <li>○ Each copy of the manifest should be numbered or annotated indicating the date and time so that it is distinguishable from previous copies.</li> </ul>
<input type="checkbox"/> Secure facilities at departure, arrival, and connecting airports for family members and/or friends who may be gathering. <ul style="list-style-type: none"> <li>○ This facility is designed to allow family members to grieve in private, shielding them from the media and solicitors; it serves as a secure location where families can receive continuous updates regarding the reconciliation of the passenger manifest and other accident information.</li> </ul>
<input type="checkbox"/> Ensure all facilities chosen for use as the Friends and Relatives Reception Center, FAC, and JFSOC are ADA accessible.
<input type="checkbox"/> Secure a venue for use as the FAC (see appendix B). <ul style="list-style-type: none"> <li>○ Consider the quality of the rooms, size of the facility, privacy for the family members and/or friends, ability to secure the facility, proximity to the accident site, and proximity to medical treatment facilities.</li> </ul>
<input type="checkbox"/> Secure a venue for the JFSOC.
<input type="checkbox"/> Make provisions for the JFSOC including, but not limited to, the following: <ul style="list-style-type: none"> <li>○ Space</li> <li>○ Communications</li> <li>○ Logistical support</li> <li>○ Details of the set-up of the JFSOC are provided in appendix C.</li> </ul>

<b>Victim Support Tasks</b>	
<b>Air Carrier</b>	
<input type="checkbox"/>	Provide logistical support to family members who desire to travel to the accident city (or to a hospital location) that includes, but is not limited to, transportation, lodging, meals, security, communications and incidental expenditures.
<input type="checkbox"/>	Assist family members as they travel to and from the accident city by informing flight crews and airport personnel about family members aboard particular flights. <ul style="list-style-type: none"> <li>○ At departure, connecting, and arrival airports, family members should have air carrier personnel meet and assist them while on airport grounds.</li> <li>○ If necessary, seek assistance from other carriers with a larger presence at the airport.</li> <li>○ Assist family members as they depart the accident city and provide a contact person who will continue to be the air carrier's interface with them after they return home.</li> </ul>
<input type="checkbox"/>	Provide a contact person to meet family members as they arrive and accompany them at the accident city. <ul style="list-style-type: none"> <li>○ This person will be responsible for assisting the family while at the accident city and should continue to be the air carrier interface with them until they return home.</li> <li>○ Once the family returns home, the air carrier may decide to designate a single contact person for all family members. <ul style="list-style-type: none"> <li>● This point of contact should be available via a toll-free phone number.</li> </ul> </li> </ul>
<input type="checkbox"/>	Maintain daily contact with family members who do not travel to the accident city by providing a contact person from the air carrier until the on-site investigation has concluded.
<input type="checkbox"/>	Designate an individual who will be the air carrier's representative to the Director of the NTSB TDA. <ul style="list-style-type: none"> <li>○ This individual will travel to various locations, such as the accident site, morgue, JFSOC and FAC with the Director of the NTSB TDA.</li> <li>○ The designated individual should have the authority or ready access to those who have sufficient authority to make decisions on behalf of the air carrier.</li> </ul>
<input type="checkbox"/>	Establish an exclusive badge system to appropriately identify family members.
<input type="checkbox"/>	Participate in daily coordination meetings to review daily activities, resolve problems, and synchronize future family support operations and activities at the FAC. <ul style="list-style-type: none"> <li>○ This information is helpful in planning logistical support (such as meals, lodging, and transportation) and allows for an update of current and future support operations.</li> <li>○ The type of information typically discussed during the daily coordination meetings is located in appendix D.</li> </ul>
<input type="checkbox"/>	Make provisions for private areas within the hotel for medical examiner personnel and the DMORT FAC Team to collect ante-mortem information and DNA reference samples from family members. <ul style="list-style-type: none"> <li>○ Provide quiet space and communications for DMORT and medical examiner personnel to telephonically collect ante-mortem information from family members who are not at the FAC.</li> <li>○ Plan and provide for a sufficient number of rooms for DMORT/crisis counseling use. Based on NTSB experience the number of rooms required ranges from 4 to 12, depending on the number of fatalities.</li> <li>○ Be aware that crisis counseling and DMORT facilities are also used as venues to inform families when positive identification has been made. By having the medical examiner or DMORT team representative located within the FAC, transportation of victims' remains and other logistical considerations can be better coordinated. Support requirements for planning purposes are in appendix C.</li> </ul>

<b>Victim Support Tasks</b>
<b>Air Carrier</b>
<input type="checkbox"/> Provide DOS representatives the necessary information regarding foreign passengers to facilitate interaction with appropriate foreign government embassies.
<input type="checkbox"/> Establish a liaison with the American Red Cross at each medical treatment facility to monitor the status of injured victims and to provide assistance to their families.
<input type="checkbox"/> Develop procedures for the handling of personal effects released by the NTSB or the FBI if the aviation disaster is declared a criminal act. <ul style="list-style-type: none"> <li>○ Consider utilizing a third party that has experience in the return of personal effects associated with aviation disasters.</li> <li>○ The proper handling and management of personal effects cannot be discounted.</li> <li>○ As required by law, provisions will be made for unclaimed possessions to be retained for at least 18 months from the date of the accident.</li> <li>○ The NTSB has developed guidelines for the on-scene search for personal effects.</li> </ul>
<input type="checkbox"/> Consult with family members about any air carrier-sponsored monument, including any inscriptions.
<input type="checkbox"/> Provide reasonable reimbursement to the American Red Cross for the services provided to the family, air carrier, and supporting personnel.
<input type="checkbox"/> Provide the same support and treatment to families of non-revenue passengers or any other victim of the accident (for instance, ground fatality) as is provided for revenue passengers.
<input type="checkbox"/> If the NTSB conducts a public hearing or comparable proceeding at a location more than 80 miles from the accident site, ensure that a simultaneous transmission of the proceeding is available to family members at a location open to the public at both the origin city and destination city of the accident flight.
<input type="checkbox"/> In the event of an accident outside of the United States, AIR 21 legislation requires "An assurance that the air carrier, in the event that the air carrier volunteers assistance to United States citizens within the United States with respect to an aircraft accident outside of the United States involving major loss of life, the air carrier will consult with the Board and the Department of State on the provision of the assistance."
<input type="checkbox"/> In the event the investigation determines the accident is the result of a criminal act, coordinate with FBI OVA in arranging meetings with family members to explain their rights as victims of a Federal crime.

<b>Victim Support Tasks</b>
<b>American Red Cross</b>
<input type="checkbox"/> Deploy an American Red Cross CRT to serve as the functional leadership of family care and crisis intervention during the aviation accident. The CRT will support the local American Red Cross response and manage any spontaneous volunteers.

<p><input type="checkbox"/> Assign a representative to the JFSOC to coordinate American Red Cross related issues and family requests for assistance.</p>
<p><input type="checkbox"/> Coordinate and manage the numerous organizations and personnel offering counseling, religious, and other support services to the operation. A staff processing center, operated away from the FAC, should be created to screen, monitor, and manage personnel (employee and volunteer staff). The staff processing center will also be responsible for developing an exclusive badge system for personnel, matching volunteer skills with organizational needs, assigning work schedules, briefing and debriefing of support staff, and planning for future activities.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Qualified local resources should be integrated with American Red Cross personnel for crisis and grief counseling, food services, administrative assistance, and other support services to family members and support organizations.</li> <li><input type="checkbox"/> Crisis and grief counseling for family members who do not travel to the accident city should be coordinated with air carrier personnel.</li> </ul>
<p><input type="checkbox"/> Employ an accounting system to accurately record cost data in specific cost categories for reimbursement by the air carrier.</p>
<p><input type="checkbox"/> Assess the needs and available resources of other crisis support agencies, coordinate with them to ensure ongoing emotional support for workers during the operation, and provide debriefings before departure.</p>
<p><input type="checkbox"/> Establish a liaison with the air carrier at each supporting medical treatment facility to monitor the status of injured victims and to provide assistance to their families.</p>
<p><input type="checkbox"/> Coordinate with the air carrier to establish areas in the FAC for families to grieve privately.</p>
<p><input type="checkbox"/> If deemed necessary, deploy a CRC to coordinate on-site childcare services for families who arrive with young children.</p>
<p><input type="checkbox"/> If deemed necessary, deploy a SRT to coordinate on-site spiritual care.</p>
<p><input type="checkbox"/> If desired by the families, coordinate the planning for a suitable interfaith memorial service within the first few days following the accident.</p>
<p><input type="checkbox"/> If deemed necessary, arrange a memorial service for any future burial of unidentified remains.</p>
<p><input type="checkbox"/> Provide families, at their request, with referrals to mental health professionals and support groups in their local area.</p>
<p><input type="checkbox"/> Provide additional support to affected special needs or demographically/culturally diverse populations as deemed necessary.</p>

<p><b>Victim Support Tasks – Victim Identification Services</b></p>
<p><b>Department of Health and Human Services</b></p>
<p><b>Assistant Secretary for Preparedness and Response</b></p>
<p><input type="checkbox"/> At the time of an accident and following notification by the NTSB, activate the appropriate DMORT team personnel, supplies, and equipment to assist in the management of victim identification.</p>

<input type="checkbox"/> Assign a representative to the JFSOC to address DMORT-related issues.
<input type="checkbox"/> Assign necessary DMORT team members to assist the medical examiner with victim identification and mortuary services. The configuration of the team and skills required will be determined by the details of the accident and the capabilities of the local medical examiner.
<input type="checkbox"/> Follow the "DMORT Standard Operating Procedures for National Transportation Safety Board Activations."
<input type="checkbox"/> Provide, if necessary, a morgue facility, a DMORT Portable Morgue Unit (DPMU), and the necessary equipment and supplies to augment the local medical examiner's capabilities.
<input type="checkbox"/> Monitor the status of all incoming ante-mortem records to include dental, medical, and DNA data to ensure that all records have been received. If not, take steps to obtain the records and radiographs.
<input type="checkbox"/> Employ a standard ante-mortem questionnaire and disposition of remains form that can be adapted to meet local medical examiner and State requirements. The disposition of remains form will be used to obtain directions from the lawfully authorized NOK regarding what he/she desires the medical examiner to do with remains that may later be identified as those of their family member. Information collected from family members is strictly confidential and is ultimately under the control of the medical examiner.
<input type="checkbox"/> Using a specially trained FAC team, interview family members who are both on site and off site for information regarding ante-mortem identification and disposition of remains.
<input type="checkbox"/> Coordinate with the medical examiner to integrate qualified non-DMORT personnel who are providing assistance to the medical examiner's office into the morgue operation.
<input type="checkbox"/> If necessary, assist the medical examiner in notifying family members of positive identification, including an explanation of how identification was determined.
<input type="checkbox"/> Ensure the accuracy of the chain of custody by performing a check of documentation and remains prior to the release of remains to the designated funeral director.
<input type="checkbox"/> Assist the medical examiner with reassociation of remains following the identification process. This may occur weeks or months after the accident.
<input type="checkbox"/> Through the FAC team, provide the NTSB with contact information for the NOK (addresses, telephone numbers, e-mail addresses) and the NOK's relationship to the victim.

<b>Victim Support Tasks (if required)</b>
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<b>Department of Defense (if required)</b>
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| <input type="checkbox"/> Provide the use of a military installation, such as The Charles C. Carson Center for Mortuary Affairs, located at the Dover Air Force Base, in support of mortuary operations.  |
| <input type="checkbox"/> Provide personnel from the Office of the OAFME and AFDIL to assist in the identification effort and to conduct appropriate DNA comparison testing on specimens submitted by the medical examiner. OAFME and AFDIL personnel may be asked to travel to the accident site to assist with victim identification. |



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| <input type="checkbox"/> Provide available medical and dental records and DNA reference samples of fatally injured passengers who may have ante-mortem records based on prior or current military service. |
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<b>Victim Support Tasks – Assisting Families of Foreign Victims (if required)</b>
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<b>Department of State</b>
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| <input type="checkbox"/> Assign a representative to the JFSOC to coordinate DOS-related issues with other members of the operations center staff. Assist in obtaining dental and medical records and DNA reference samples from foreign families. Respond to family member requests for information and assistance as appropriate. Additional personnel may be needed for accidents involving significant numbers of foreign passengers, particularly those involving international flights. |
| <input type="checkbox"/> Provide official notification to foreign governments of citizens involved in the accident. Such notifications will take place after obtaining necessary information about foreign passengers from the air carrier.  |
| <input type="checkbox"/> Assist the air carrier in notifying United States citizens who may reside or are traveling outside the United States that a member of their family has been involved in an aviation accident.   |
| <input type="checkbox"/> Provide interpretation/translation services (via DOS staff or a contracted provider) to facilitate communications with the victim's family and all interested parties. For family briefings held at the FAC or similar location or activity, simultaneous interpretation/translation in multiple languages may be required.   |
| <input type="checkbox"/> Assist the air carrier, the Federal support staff, and other pertinent parties in maintaining contact with foreign families not traveling to the United States.   |
| <input type="checkbox"/> Assist foreign air carrier employees and families of foreign victims with entry into the United States and with the extension or granting of visas to eligible applicants.  |
| <input type="checkbox"/> Facilitate necessary consulate and customs services for the return of remains and personal effects to the country of destination.   |
| <input type="checkbox"/> Assist the medical examiner in acquiring the necessary information to facilitate the identification of foreign victims and to complete death certificates.  |

<b>Victim Support Tasks – Communications (if required)</b>
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<b>Department of Homeland Security / Federal Emergency Management Agency</b>
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| <input type="checkbox"/> Assign a representative to the JFSOC to coordinate with other members of the operations center staff and local and State officials concerning emergency management-related issues. |
| <input type="checkbox"/> Provide voice and data communication assets to facilitate communication from the accident site to the NTSB communications center.  |

- Upon the request of the NTSB Office of Public Affairs, provide personnel to assist in public information dissemination, to include assistance in establishing and staffing external media support centers at the accident site, wreckage hangar, FAC, airport, and other areas that may attract media interest.

### Victim Support Tasks – Assisting Victims of Crime (if required)

#### Department of Justice

- Provide to the NTSB, upon request, an FBI Disaster Squad with sufficient personnel to obtain fingerprint identification of accident fatalities. This team will work with the medical examiner and the DMORT personnel at the morgue location.
- Provide to the NTSB, upon request, an FBI ERT and other FBI Laboratory assets to assist with victim recovery operations under the direction of the medical examiner.
- Provide to the NTSB, upon request, FBI Office for Victim Assistance VARDT members to assist in unique circumstances, such as simultaneous accident responses.
- The following responsibilities will be implemented only if the air carrier disaster is officially declared a criminal act:
  - Coordinate Federal assistance and serve as the liaison between the air carrier and family members.
  - Provide an FBI toll-free number for family members to obtain information on the victim recovery and identification effort, investigation, and other concerns. This number will normally be provided to families on site during the initial family briefing and repeated in subsequent briefings. The FBI will coordinate with the air carrier to have air carrier family representatives provide the toll-free number to the families who do not travel to the accident city.
  - Establish a special web page for victims' families for the purpose of sharing updated information and maintaining ongoing communication with victims and families throughout the duration of the investigation.
  - Review with the air carrier logistical family support with special consideration toward security, quality of rooms and facilities, and privacy for family members.
  - Oversee the establishment and management of the JFSOC and the FAC. Information on FAC operations can be found in appendix B.
  - Integrate local and Federal government officials and air carrier staff to form a JFSOC to facilitate close coordination of services and activities.
  - Assist the air carrier, if requested, with finding NOK to be notified.
  - Conduct daily coordination meetings with the air carrier and local and Federal government representatives to review daily activities, resolve problem areas, and to synchronize future family support operations and activities. Examples of information needed for the daily coordination meeting are in appendix D.
  - Provide and coordinate family briefings for family members at the accident city and for those who remain at home. Conduct in-person family briefings at the FAC. Conduct briefings for off-site families via telephone conference bridges. Information regarding family briefings can be found in appendix C.
  - Provide information to victims and families regarding their rights and available services as victims of a Federal crime.
  - Maintain contact with family members to keep them informed about the progress of the investigation and to continue to meet their future needs.

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## Appendix H

### FREQUENTLY ASKED QUESTIONS

#### Manifest Inquiries

***Who can request a copy of the manifest?***

Legally, the NTSB is the only Federal agency to which an air carrier is required to provide a copy of the manifest. If the disaster involves a flight segment for which the last point of departure or the first point of arrival is in the United States, the air carrier must also transmit a copy of the manifest to the Department of State within 3 hours of the accident.

***When must I provide a copy of the manifest?***

A copy of the manifest is given, upon request, to the NTSB. Please ensure each updated version of the manifest is marked in a manner that it can be easily differentiated from other versions. Markings such as "Version # 1", "Version # 2", "Final" or other qualifiers (for instance, date and time stamp) are important to avoid confusion.

***What if the TSA or an airport police officer wants the manifest?***

Since the events of 9/11/2001, the NTSB and air carriers have agreed that air carriers may give a copy of the manifest to the FBI's Airport Liaison Agent (ALA) at any airport in the United States. The agent will then distribute the manifest, as necessary, to other agencies. If you do not know your ALA, please contact your local FBI office or your airport police department.

***Does my airport fire department need a copy of the manifest?***

The airport fire department is required to know the number of passengers and crew on the aircraft and to be given the cargo manifest. The air carrier is not required by law to give the passenger manifest to the fire department.

***Does the NTSB release the manifest to the press?***

The NTSB never releases the manifest to the press.

***If a United States air carrier crashes overseas, am I required to give a copy of the manifest to the NTSB?***

In such an event, a United States air carrier is required by law to provide a copy of the manifest to the Department of State within 3 hours of the accident. The NTSB may also ask for a copy.

***I am having problems with agencies that believe they have a right to a copy of the manifest. Can the NTSB help me?***

Please call the NTSB Office of Transportation Disaster Assistance at (202) 314-6185 and a specialist will be assigned to help you.

#### Air Carriers

***Who constitutes a family member? Is there a specific definition?***

United States Federal and State laws define who constitutes a family member for legal purposes. These legal definitions vary from State to State. Traditionally, family members included spouse, children, mother, father, brother, and sister. Terms such as stepparents, stepsiblings and life partners have become more common in recent years in defining some family environments. In order to provide support and assistance to victims and their families, air carriers should be prepared to work with various family situations.

***During the initial hours of an aviation disaster, the air carrier must verify a significant amount of information regarding the passengers. If a family member calls during the verification process, what information should he or she be given?***

Air carriers must establish contact with the family of a victim as soon as possible following an accident. Be aware that, in some cases, a family member may establish contact with the air carrier before the air carrier has been able to contact that family. The air carrier must, upon the request of the family of a passenger, inform the family of whether the passenger's name appears on a preliminary manifest for the accident flight (as stipulated in AIR 21; see appendix A).

***Should the air carrier contact any other family members?***

If the initial family member contacted is unable to understand the information the air carrier is providing, it may be necessary to notify another family member. Another family member may also assist in other situations, such as non-English speaking families.

***Is there a requirement by an air carrier to release the names of the passengers and crew to the media?***

There is no legal requirement for the air carrier to release the names of passengers and crew to the media. The media should be informed about the number of families that have been notified during the initial notification process. However, as the air carrier completes the notification process to passenger and crew family members, the air carrier is encouraged to obtain an estimate on how much time will be needed for the family to contact other family members. There should be consideration in delaying the release of any names until these family members have been contacted.

***How often should air carriers update family members on the progress of initial events?***

Family members should be contacted regularly, even if there is no updated information. If the air carrier tells a family member that the carrier will call back by a specific time, that call must be made as promised. Once the NTSB and the families arrive at the FAC, regular briefings will be scheduled by the NTSB.

***Are there any steps an air carrier can take to limit the number of inquiry calls that follow a disaster?***

When providing the media with a toll-free number, the air carrier must stress that the number is only for those family members and friends who have reason to believe their loved one was on board the accident flight. The air carrier should ask the media to continually emphasize the name of the carrier; flight number and/or code-share flight number; and airport origination, connection, and final destination to prevent confusion and misinformation, and ultimately to reduce call volume.

For air carrier personnel, the air carrier should also rely upon an internal "call home" system. After an accident, flight crews and other employees should be advised of the accident through the company's internal communications network. They should be asked to call home and check in with their family members.

***Are there any special considerations for family members traveling to the accident city?***

By law, air carriers must ensure that family members are provided with transportation to the accident city and other immediate needs, such as lodging. The air carrier should be sensitive to requests for more than one family member or for a non-family member to travel to the accident city. If at all possible, a family member should not travel alone to the accident city.

Some family members may request to travel to the accident city via an alternate air carrier, an aircraft type other than the accident aircraft, or an alternate mode of travel (for instance, rental car, bus, or train). The air carrier should attempt to honor such requests.

***What types of training can help teach air carrier employees how to assist families following an accident?***

Air carriers will train employees and agents who are responsible for assisting survivors and family members following an accident. Employees should be sensitized in a number of areas, including the range of physical and emotional reaction to trauma, family member and victims' needs for accurate and timely information, the varying needs of different populations, and the importance of providing compassionate and non-judgmental support during this difficult and complex time.

Because employees may encounter physical and psychological stress reactions during an accident response, training should include methods for taking care of themselves during and after the response. The training should also include how to support co-workers who may be having difficulties and how to effectively exit the response assignment and return to their normal duties. Recurrent annual training maintains skills and a level of readiness.

In addition, NTSB TDA holds courses at the NTSB Training Center on a variety of family assistance topics. More information about the NTSB Training Center and course offerings can be found at the following website: [www.nts.gov/TC](http://www.nts.gov/TC).

***Does an air carrier need to file a family assistance plan?***

All carriers are required to file their assurance with both the NTSB and the United States Department of Transportation. Send assurances to: National Transportation Safety Board, Office of Transportation Disaster Assistance, 490 L'Enfant Plaza East, S.W., Washington, D.C., 20594. Fax Number: (202) 314-6638. Phone: (202) 314-6185. E-mail: [assistance@nts.gov](mailto:assistance@nts.gov).

***What issues should an air carrier consider in managing personal effects?***

Due to the physical dangers and psychological impact that the recovery and management of personal effects can have on air carrier employees, it is strongly suggested that a professional third party be employed. Air carriers need to allow family members the opportunity to view unassociated personal effects. This can be done via a catalog or a CD containing photographs of these items. Family members should be notified before the catalog or CD is sent to them for their review. A claim for specific personal effects can be placed with the air carrier or the third party vendor.

Air carriers are required to maintain possession of all unassociated personal effects for a minimum of 18 months following the accident. It is recommended that family members be notified prior to the destruction of any personal effects in the air carrier's possession, allowing them one final opportunity to claim previously unclaimed personal effects.

NTSB and FBI ERT have developed "best practice" guidance for surveying and searching for personal effects at accident sites. A copy can be obtained from the NTSB TDA office.

***How should an air carrier plan to demobilize its family assistance response efforts?***

In accordance with common disaster management procedures, air carrier family assistance managers should plan their demobilization during the beginning of the response. Demobilization planning allows managers and staff to focus their activities with an understanding of when the work will end. Since the response will eventually end, knowing the process of how to close down the response is essential to an effective overall response.

***What changes did AIR 21 and Vision 100 make to the Aviation Disaster Family Assistance Act?***

Pursuant to AIR 21:

- The restrictions on solicitation by attorneys and their agents is increased from 30 to 45 days following the accident.
- Local authorities cannot block the use of mental health and counseling services for 30 days following the date of the accident. The NTSB can extend that period for another 30 days if necessary.
- An assurance that "upon request" of the family, the air carrier will inform the family of whether the passenger's name appeared on a preliminary passenger manifest of the accident flight.
- An assurance that the air carrier provides adequate family assistance training to employees and agents of the carrier.

- If an air carrier volunteers to assist United States citizens within the United States with respect to an aircraft accident outside of the United States involving major loss of life, an assurance that the air carrier will consult with the NTSB and the Department of State.

Pursuant to Vision 100:

- Requirements and procedures for air carriers when dealing with non-government owned property damaged or destroyed during an aviation accident.
- Establishes clear lines of communication between the land/property owner and the air carrier underwriter.
- If the NTSB conducts a public hearing or comparable proceeding at a location greater than 80 miles from the accident site, the air carrier must ensure the proceeding is simultaneously broadcast at locations open to the public at both the origin and destination cities of the accident flight (if the city is located in the United States).

### **American Red Cross**

#### ***Why was the American Red Cross selected?***

The NTSB designated the American Red Cross because it meets the legislated requirement for an independent non-profit organization with experience in disaster response and post-trauma communications with families.

#### ***What is the Critical Response Team (CRT)?***

At the accident city, the local American Red Cross chapter initiates the American Red Cross response in accordance with local planning. These activities may be supported as needed by other American Red Cross chapters from the surrounding area. The CRT is composed of trained and experienced American Red Cross disaster management specialists, who are mobilized within 4 hours, travel to the accident city, and augment the local American Red Cross response.

#### ***Is there any requirement for an air carrier to meet with the American Red Cross before a disaster occurs?***

There are no mandates for an air carrier to meet with the American Red Cross before a disaster. However, it is important that local air carrier station management and American Red Cross chapters coordinate their local planning activities where appropriate to ensure each group's awareness of the other's plans. This will enhance the coordination of the immediate response. An annual meeting can eliminate any misunderstandings or confusion over the provision of services.

#### ***What other services can the American Red Cross provide to an air carrier, family members, or the community where the disaster occurred?***

The American Red Cross can provide crisis support for local agencies, air carrier personnel, and family members. If needed, they will assist with family member referrals for additional mental health services.

The CRT also comprises two specialized teams: the CRC and the SRT. The CRC deploys trained experienced disaster childcare professionals to deliver specialized childcare, typically in the FAC. The SRT deploys trained experienced spiritual care professionals to coordinate, establish, and maintain spiritual care services.

#### ***How do other service providers interact with the American Red Cross?***

The American Red Cross is responsible for establishing a staff-processing center to ensure the best use of all resources. Providers can contact the American Red Cross through the processing center or their local American Red Cross chapter in advance if interested in assisting.

The American Red Cross can also assist in managing "spontaneous volunteers" who frequently present themselves following an accident.

### **United States State Department**

#### ***What is the role of the United States State Department during an aviation disaster (domestic or foreign air carrier) in the United States or its territories?***

The United States Department of State is responsible for providing official notification to foreign governments whose citizens were involved in the accident. Notifications take place after necessary information about foreign passengers is obtained from the air carrier. The State Department can also assist the air carrier in notifying United States citizens who may reside or are traveling outside the United States that a member of their family has been involved in an aviation accident.

For foreign carriers, the State Department can assist by alerting the United States Citizenship and Immigration Services (USCIS) that a corporate "Go Team" is en route to the accident city. They can assist with obtaining required visas or other documents needed to gain entry into the United States. Assistance can also be given to family members en route to the accident city. The State Department will work with USCIS to ensure that entry into the United States by these families is done in a timely, compassionate, and professional manner.

Additional information on State Department roles and responsibilities can be found at:  
<http://www.state.gov/documents/organization/86830.pdf>.

### **Family Assistance Center**

#### ***What is the difference between the Friends and Relatives Reception Center and the FAC?***

Friends and Relatives Reception Centers are located at the arriving and departing airports and are temporary locations for family members to gather until an FAC is established. The FAC is established at a hotel or similar facility in the accident city and is the focus for the assistance and information family members will receive during the initial phases of the accident response.

#### ***Who is responsible for the FAC?***

The air carrier is responsible for securing a facility and all reasonable operational expenses to accommodate family members traveling to the accident city. Agencies providing support and services to families will work together to ensure families are assisted. The NTSB has the overall responsibility for the effective operation of the FAC, but it relies upon the cooperation and support of all contributing organizations.

#### ***How will professionals and other service agencies in the local community be incorporated into the family assistance response?***

The American Red Cross is the designated non-profit organization responsible for family care and crisis intervention. In this capacity, it manages the recruitment, training, and support of all volunteers, including those in the local community, through a Staff Processing Center. It is the intent of the American Red Cross and the NTSB to integrate local professionals and organizations affiliated with a disaster response agency/organization.

#### ***Who is considered a family member for access to the FAC?***

"Family member" is defined in broad terms for the purpose of FAC access. Many individuals consider themselves to be the "family" of the victim, even though the law does not formally recognize the relationship. Keep in mind that the goal of the FAC is to support and provide assistance to those associated with the victim(s) impacted by the aviation disaster.

***How do families not traveling to the accident city obtain information and support?***

There are several ways for families who do not travel to the accident city to obtain information and support. Air carriers should maintain contact with non-traveling families and provide them the same types of support as received by families at the FAC. The American Red Cross can also provide support through their chapters in the local community. A toll-free conference call bridge is used during most family member briefings. The NTSB establishes an accident-specific website for family members along with the existing [assistance@ntsb.gov](mailto:assistance@ntsb.gov) e-mail address.

***How will the air carriers, local emergency responders, American Red Cross, and other Federal agencies coordinate the services delivered to family members?***

The JFSOC coordinates all family member activities and resolves family assistance concerns and challenges during the on-scene phase of the response. Facilitated by NTSB TDA, the JFSOC includes representatives from each organization providing assistance to ensure efficient use of resources, sharing of information, and the provision of appropriate and professional services to families.

***How do the family members find answers to their individual questions?***

It is recommended that family members first ask their air carrier escort/representative for answers to their questions. If he or she cannot provide an answer, the question can be channeled to the JFSOC via the representative's supervisor. Families are encouraged to ask questions at the regularly scheduled family briefings.

NTSB TDA is responsible for maintaining contact (including answering individual questions) with victims and family members following the on-scene phase of the investigation. All necessary contact information will be provided during the final family briefing.

## **Airports, Emergency Personnel and First Responders**

***What areas of consideration should airports have in planning to assist families during the first few hours of an aviation disaster?***

Although not currently required, airports should have plans to assist victims and their families during the initial hours following an aviation accident. Airport emergency planning is especially critical for smaller air carriers or charter operations that have a limited presence at the airport.

Consider providing family members a private and secure area to gather (Friends and Relatives Reception Area) while awaiting information from the air carrier. Air carrier clubs, conference rooms, or restaurants can serve this purpose. If located within the sterile area, entry procedures must be established with the Transportation Security Administration (TSA) and Federal Security Director prior to an accident. Police officers should be used to secure the room and the immediate area from the general public. Local Red Cross chapters should be included in planning sessions as they can provide disaster mental health and medical services personnel, as well as other needed local resources, to assist air carrier staff with families at this location.

When selecting the location, consideration should be given to the following:

- Proximity to restrooms and other amenities
- Privacy from the general public
- Privacy from the media
- Availability of television access to family members, if desired
- A location that does not overlook the accident site (if at all possible)



***What areas of consideration should be given when airports are reviewing their airport emergency plans?***

If an airport's plan calls for sealing off access to the airport or terminals during an emergency, local air carrier management should provide a list of employees required to have access to the airport or terminal(s) during such a period. Airport Operations Access (AOA) badges for these individuals should be issued with a unique indicator. Some airports have used the following indicators: "COMMAND POST", "EMERGENCY ACCESS", "INCIDENT RESPONSE", "DISASTER RESPONSE" or a large letter "E". Once chosen, the format is relayed to law enforcement agencies securing the airport, thus allowing air carrier/airport personnel wearing a badge to gain access even when roadways are closed.

To reduce confusion by responding mutual aid agencies, airports should consider placing large signs at their predetermined staging and emergency access areas and gates. These signs should be reflective, preferable white wording on a red background, using simple text; for example, ARFF STAGING AREA "A" or MUTUAL AID ACCESS GATE #5. Airports should review and contact emergency service agencies within a 5-mile radius of the airport to receive aircraft emergency ingress/egress familiarization and training. Airport fire services can coordinate with air carriers to arrange familiarization tours of various air carrier aircraft types.

Pre-accident meetings with local emergency planners; hospitals; the American Red Cross; city, county, and State police and fire services; and clergy help to familiarize response groups with one another.

***Are there any special considerations about moving wreckage after life-safety efforts have been completed?***

Once the emergency response moves from rescue to recovery, the area should be sealed off until an NTSB representative arrives on the scene. If at all possible, pieces of wreckage should not be moved. If the wreckage must be moved, it is critical to document the process in writing. Additionally photographs of the wreckage should be taken before and after disturbing the items.

In some accidents, the NTSB will request the assistance of the FBI Evidence Response Team (ERT) to document the scene and conduct the recovery operation. The FBI ERT is available nationwide and offers a standard level of documentation and recovery to the NTSB.

For more information, a brochure titled "Responding to an Aircraft Accident: A Guide for Police and Public Safety Personnel" is available from the NTSB TDA website, [www.nts.gov/family](http://www.nts.gov/family).

***If the accident is caused by a criminal act, who will be in charge?***

For aviation accidents caused by intentional criminal acts, the FBI is the lead investigative Federal agency. The NTSB may support the FBI with technical expertise. Because of the importance of evidence preservation and documentation, local authorities must ensure that all wreckage is preserved and not moved unless necessary for life-safety activities.

### **Medical Examiners, Coroners, and Forensic Responders**

***What is the process for the notification of identification and release of victims' remains?***

Once the identification process is complete, the NOK is notified by the medical examiner or the DMORT Family Assistance Team. The notifying agency will make arrangements for the release of remains to the funeral home selected by the NOK. Victims' remains will be transported from the morgue by a funeral home vendor contracted by the air carrier to the funeral home selected by the NOK. Contact information for the funeral home selected by the NOK is obtained during the ante-mortem interview or during the notification of identification process.

Generally, victims' remains are released on an individual basis, as they are identified; however, in some circumstances, remains are released at the end of the identification process, once all identifications have been made. This decision is made by the presiding medical examiner, and the NOK is informed of this process.

***What is the process of identifying victims using DNA evidence?***

Victim identification based on DNA evidence requires a comparison of DNA data obtained from a victim's remains to data obtained from a reference sample. Personal items or prior medical specimens from the victim can be submitted as a direct reference sample. If submitted, it is imperative to verify that the DNA from the personal item belongs to the victim. If direct reference samples are not available, family reference samples obtained from close biological relatives are utilized. When obtaining a family reference sample, it is important to understand and document the biological relationship between the victim and the individual providing the reference sample (for instance, biological mother, father, children, brothers, or sisters). DNA identifications cannot be accomplished without the reference sample. For more information, see appendix I, which lists several resources regarding victim identification using DNA evidence.

***Why does the victim identification process take so long? What factors influence the process?***

Victim identification requires comparing information collected from the remains of the victim (post-mortem data) to information available from the victim when he or she was alive (ante-mortem data). Scientific methods, such as comparing dental radiographs taken while the victim was alive with radiographs taken from the deceased victim, are the preferred methods for victim identification. Other scientific methods include fingerprint examinations, comparison of radiographs, and DNA analysis. In general, five factors influence the victim identification process.

**1. The number of fatalities.** As the number of fatalities increases, the amount of time and resources required to identify victims also increases, due to the investigative effort needed to obtain ante-mortem information and to conduct post-mortem analysis.

**2. An open or closed victim population.** A disaster comprises a closed victim population if the number of victims and their names are known (for example, a manifested air carrier accident). Conversely, an open population is one in which neither the number of victims nor their names are known (for example, an explosion in a public building). Disasters involving open victim populations require more time and resources to resolve because authorities must distinguish those actually missing from those initially reported missing. The ante-mortem data collection process only begins once a victim is known to be missing.

**3. The availability of ante-mortem information.** Not all fatal victims have easily accessible or available ante-mortem information. For example, a victim who has never visited a dentist will not have dental records. Authorities must know where to look for ante-mortem records; this information is usually provided by family members. The absence of useful ante-mortem data, or the presence of incorrect data, will slow the victim identification process.

**4. The condition of remains (for instance, thermal damage, fragmentation, and commingling).** Complete bodies are more easily recovered and identified than remains impacted by fire, decomposition, fragmentation, and commingling. For fragmented remains, the reliance on DNA methods increases, requiring additional time and resources. Additionally, given an open population with fragmented remains, the standard of care is to identify all remains, since the number and names of the dead are not known. With a closed-population investigation, the goal is to account for all potentially identifiable remains for each victim. Often this approach does not require analysis of all remains, just those that have the potential to be identified.

**5. Challenges in search and recovery operations.** Remote terrestrial or underwater recovery operations require specialized support and more time, thus delaying the collection of post-mortem data.

***What are some of the concerns during the search and recovery process?***

The physical location of the accident site determines the resources required and the procedures employed for search and recovery operations. The personnel and equipment needed for scene documentation and recovery operations vary significantly depending on whether the accident occurred on land or over water. The NTSB has authority for the aircraft wreckage, the medical examiner/coroner has authority for the human remains and associated personal effects, and the air carrier has responsibility for unassociated personal effects. Accident scene activities are coordinated with the NTSB Major Investigations Division (AS-10). The NTSB coordinates with other agencies as necessary.

**Who pays for victim recovery and identification costs?**

The costs related to victim recovery and identification can be high and are directly related to the number of victims, the condition of remains, and the medical examiner's policies regarding identification of remains. Typically, the air carrier underwriter will pay reasonable costs for victim recovery and identification. However, the underwriter is not required to pay for such costs. As with any emergency response, the costs of the response are often shared among the local, State, and Federal agencies, in addition to the underwriter.

**What methods are used to identify aviation accident victims? Does the NTSB require that certain methods be used?**

Under their legal responsibilities, the medical examiner conducts victim identification and determines the cause and manner of death. Although there are no enforceable national standards in the forensic field for victim identification, the expectation by family members and society is that all reasonable methods will be used to complete identifications in a timely and professional manner. Biologically based methods (such as fingerprints, dental records, DNA, medical implants with unique serial numbers) are considered by courts of law as primary methods of positive identification. Other methods may result in a presumptive identification, and this information may lead to a positive identification.

**How is ante-mortem information obtained from family members?**

The medical examiner is responsible for obtaining medical record information from family members. However, in the event that the local jurisdiction does not have enough staff to interview family members, trained DMORT members can be used to assist the local jurisdiction in interviewing family members. DMORT and other agencies can also be used to collect ante-mortem DNA reference samples from family members. If reasonable, family members may be asked to bring the contact information of the decedent's dentist and/or doctor when they travel to the FAC.

**Is the NTSB responsible for making positive identification of disaster victims?**

The medical examiner is responsible for making positive identification of victims. The NTSB can provide additional resources to assist the medical examiner. These resources include the DMORT team, the FBI Evidence Response Team, other FBI Laboratory assets and pertinent Department of Defense laboratories and personnel.

**How are personal effects (PE) managed?**

In general, PE are collected at the accident scene, catalogued, and cleaned to make them safe. If requested by the NOK, the item can be restored to its original condition. The goal of the PE process is to return all items to the family members in the condition they choose.

There are three classes of PE:

1. **Associated PE** are items recovered at the accident scene that are in physical contact with the victim's remains (for instance, a wedding ring on a hand). The medical examiner has authority over the collection, chain of custody, and final disposition of these items. Medical examiner staff or designated personnel (for instance, FBI ERT) document and collect associated PE during the recovery of human remains. Once collected, the medical examiner can transfer custody of the associated PE to a third party contracted by the air carrier to manage the overall PE process. The NOK decides when and whether associated PE is returned and provides instructions for the restoration of the items, if desired.
2. **Unassociated PE** are not associated with remains and have no identifying information. Such items may include clothing, books, and toiletries. The air carrier has responsibility for the collection, processing, and return of unassociated PE to the NOK. Air carriers typically designate a contractor to take care of these responsibilities. The contractor also catalogues the items, and coordinates the restoration and return with the NOK.
3. **Unassociated PE** containing identifying information (e.g. luggage with an identification tag) also fall under the responsibility of the air carrier and are processed accordingly.

***Are there additional resources available for a medical examiner responsible for managing the identification of decedents?***

Under the Federal Family Assistance Plan for Aviation Disasters, the NTSB coordinates and integrates the resources of the Federal Government to support the efforts of the local and State government. The National Disaster Medical System (NDMS — a division of the Department of Health and Human Services, Assistant Secretary for Preparedness and Response) is the primary Federal agency to support local jurisdictions responsible for victim identification. Other Federal agencies able to support victim identification are FBI Laboratory assets and the Department of Defense DNA Registry/Armed Forces DNA Identification Laboratory.

Within the NDMS, the DMORT can conduct victim identification and associated mortuary activities. DMORT also has mobile morgues with specialized personnel to organize a morgue operation. The DMORT Family Assistance Center Team is available to interview family members to obtain ante-mortem information.

Certain State and local jurisdictions also have disaster victim identification teams. Such teams are considered important in the victim identification process.

The medical examiner should contact the NTSB TDA office through the NTSB Communications Center. TDA staff will inquire about the number of fatalities, the condition of the remains, the capabilities of the local jurisdiction to conduct victim recovery and identification and other pertinent information. Based on this discussion, the NTSB will request assistance from the Federal agencies with appropriate resources.

***What is the Portable Morgue Unit?***

The DMORT Portable Morgue Unit (DPMU) supports the processing and identification of accident fatalities. The DPMU contains pre-packaged morgue supplies and equipment that can be set up in an existing facility. Transportable by truck or air, the DPMU is accompanied by a team that unpacks, organizes, restocks, and repacks the supplies and equipment.

***What is the FBI ERT?***

The FBI Evidence Response Team (ERT) is a group of trained and equipped FBI personnel specializing in organizing and conducting major evidence recovery operations. They manage the identification, collection, and preservation of evidence at crime scenes. In the case of aviation accidents, the ERTs are available to the NTSB to provide a standard level of scene documentation, mapping, photography, videography, and evidence/wreckage recovery. Each of the FBI's fifty-six Field Offices has an ERT, consisting of 8 to 50 members. These teams train to develop and maintain their organizational and forensic skills; most have aviation disaster experience.

***What is the FBI Disaster Squad?***

The FBI Disaster Squad is a team of trained experts in the area of fingerprint identification who can be activated to support the local medical examiner in the victim identification process. The FBI Disaster Squad has access to the FBI fingerprint database and is able to collect latent prints to assist in identification.

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## Appendix K

### LIST OF ACRONYMS

AAR	After Action Report
ADA	American with Disabilities Act
AFDIL	Armed Forces DNA Identification Laboratory (DOD/AFIP/AFMES)
AFIP	Armed Forces Institute of Pathology (DOD)
AFMES	Armed Forces Medical Examiner System (DOD/AFOP)
AIR 21	Wendell H. Ford Aviation Investment and Reform Act for the 21st Century
ALA	Airport Liaison Agent (DOJ/FBI)
AOA	Airport Operations Access
ARFF	Aircraft Rescue Firefighting
AS-10	Office of Aviation Safety–Major Investigations (NTSB)
ASPR	Assistant Secretary for Preparedness and Response (DHHS)
CFR	Code of Federal Regulations
CRC	Critical Response Childcare Team (American Red Cross)
CRT	Critical Response Team (American Red Cross)
DHS	Department of Homeland Security
DHHS	Department of Health and Human Services
DMORT	Disaster Mortuary Operational Response Team (DHHS/ASPR/NDMS)
DNA	Deoxyribonucleic acid
DOC	Disaster Operations Center (American Red Cross)
DOD	Department of Defense
DOJ	Department of Justice
DOS	Department of State
DPMU	DMORT Portable Morgue Unit
ERT	Evidence Response Team (DOD/FBI)
FAC	Family Assistance Center
FBI	Federal Bureau of Investigation (DOJ)
FEMA	Federal Emergency Management Agency (DHS)
IIC	Investigator in Charge (NTSB)
JFSOC	Joint Family Support Operations Center
NDMS	National Disaster Medical System (DHHS/ASPR)
NOK	Next of Kin
NTSB	National Transportation Safety Board
OAFME	Office of Armed Forces Medical Examiner (AFIP)
OVA	Office for Victim Assistance (DOJ/FBI)
PE	Personal effects
SIOC	Strategic Information and Operations Center (DOJ/FBI)
SRT	Spiritual Care Response Team (American Red Cross)
TDA	Office of Transportation Disaster Assistance (NTSB)
TSA	Transportation Security Administration (DHS)
TTY	Teletypewriter
USCIS	United States Citizenship and Immigration Services (DHS)
VARDT	Victim Assistance Rapid Deployment Team (DOJ/FBI)
VST	Victim Support Task

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## Appendix 3

### EXAMPLE OF ONE AIRLINE'S GUIDANCE MATERIAL ON LAWS, CUSTOMS AND CULTURE AT INTERNATIONAL DESTINATIONS

1. Embassy of the home country of the airline, head of embassy: name, title, address and telephone numbers.
2. Confidentiality of the passenger manifest is important in protecting the right to privacy for the families involved. Who, other than the airline, has access to this information:
  - Does this station print the manifest for every departing flight?
  - Is this procedure required by law?
  - If this procedure is required by law, provide the name and telephone numbers of the department/agency to which you supply copies of the manifest.
3. Which government agency will be in charge of an accident investigation?
4. If any other government agencies are involved, who are they and what will be their roles?
5. What outside companies/agencies could the airline employ to work with the families in grief counselling? What are their principal contacts and telephone numbers?
6. In what areas would this country welcome support from the airline and in which areas would it perhaps not be welcome?
7. What type of security passes will the airline head office emergency team need for access to the airport in this country and who will be responsible for processing these?
8. Is there an agreement with another airline operating into the airport for assistance in the event of an accident involving one of our aircraft? If so, name the airline and the nature of its assistance.
9. Which agency will be responsible for identifying the deceased?
10. Which of the following will be used to identify the deceased: visual, fingerprinting, dental records, X-rays and DNA?
11. Will an aircraft accident be treated as a criminal act?
12. Will officers of the airline be able to enter this country without risk of arrest?
13. Is there a particular person or agency that, by law, must be the person to make a death notification?
14. Will the airline personnel be expected or allowed to make death notifications?
15. Recent large accidents have generated 50 000 to 60 000 telephone calls during the first 24 hours following the occurrence. What might be the typical response to a major aircraft accident in this country? Should the airline expect thousands of calls? Would the families be more likely to inquire personally at the airport? Would the families be likely to do nothing and wait for the airline to call them?
16. Will the airline be expected to collect ante-mortem information? (Ante-mortem information is anything known about a person before death that, in this context, could be used to assist in identifying that person.) If the airline did not perform that function, which agency would?

17. Should the airline send flowers to the families? Is there anything else we should do in addition or instead?
18. In some countries, it is the custom or the law to pay a set amount shortly after an accident to families of those fatally injured in the accident. Is this expected in this country? If so, how much would be required or appropriate? To whom is it paid? If this custom has a name, what is it?
19. Will the airline personnel be recognized by the families as a reliable source of information?
20. If an accident occurred near the airport, what hospitals would be used? Has anyone from this station met with these hospitals and shared the airline response plans with regard to working with the injured and the families? List the hospitals' names, addresses, telephone numbers, distance from the airport and the date they were last contacted.
21. Will airline personnel be allowed access to the survivors in hospital?
22. Will the airline be allowed to talk with the families of victims and form relationships?
23. How best would the airline serve the needs of the families with regard to funeral services?
24. What are the four main religious groups in this country?
25. Describe, as far as you can, the following details of the religious groups:
  - a) mourning period;
  - b) pre-burial/cremation activities;
  - c) special clothing for mourners;
  - d) special clothing for the deceased;
  - e) is food or a meal for the mourners included as any part of the ritual?;
  - f) funeral preparations for cremation and burial;
  - g) funeral ceremony;
  - h) burial/cremation rites/rituals;
  - i) would a monetary donation be required or appropriate for those involved in the formal ceremony? If so how much and to whom (e.g. minister, rabbi, organist)?;
  - j) post burial/cremation activities; and
  - k) memorialization (e.g. shrines, public notices).
26. Is there a particular rank or level of airline employee expected for contacts with the families?
27. What would be the typical components of a funeral in this country? Include specific information regarding preparation of remains for burial, viewing, ceremonies and burial/cremation.
28. Will airline team members be welcome to attend funeral services? Would they be expected to participate in the services in any manner? What dress would be appropriate?



29. Will airline team members be expected or allowed to attend viewing or visitations?
30. What services, information and/or other support would the families expect from the airline?
31. Does it make any difference if airline team members working with the families are male or female?
32. Will the age of the airline team members working with the families be a concern?
33. What are the most commonly spoken languages in this country?
34. What percentage of the people in this country speaks English?
35. Are there gestures, words or non-verbal actions that are inappropriate in this country?
36. Are there certain subjects or comments that are considered inappropriate in this country?
37. Are there certain laws or customs in this country of which airline team members should be aware that go beyond the work of the special assistance team?
38. Is there anything else that is important for the airline team members working in this country to know?
39. In the event of an accident at this station, if all the hotels were booked, or if hotel space were minimal, what would be the options for housing the families and the site team?
40. Cultural tips:
  - a) language: local words for hello; goodbye; thank you; and I do not understand (the local language);
  - b) greetings;
  - c) appointments;
  - d) climate;
  - e) currency;
  - f) airport departure tax;
  - g) tipping;
  - h) government;
  - i) cultural etiquette;
  - j) general "Dos"; and
  - k) general "Don'ts".





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