

# PERMANENT COOPERATION FRAMEWORK ACCIDENT INVESTIGATION

## Salient point

12<sup>th</sup> meeting, 20 – 21 September 2022

### Attendees

The 12<sup>th</sup> meeting of the Permanent Cooperation Framework (PCF) for the investigation of accidents in the maritime transport sector was held on 20-21 September 2022 at EMSA premises in Lisbon (Portugal).

Mr Jonas Bäckstrand (SHK - Sweden) chaired the meeting, assisted by Mr Ignatios Nikolaou (Greece – HBMCI), as Deputy Chairperson.

Twenty-five experts from 20 EU MS / EEA Countries attended the meeting. The European Commission (EC) was represented by DG–MOVE and assisted by EMSA.

The Agency provided the Secretariat for the meeting.

### Introduction

The agenda points included the following:

- **Adoption of PCF11 minutes and PCF11 Salient points;**
- **Updates by Member States, the European Commission and EMSA;**
- **Cooperation and exchange of best practices**
  - Feedback on tools facilitating cooperation between AIBs
- **Enhancing safety investigations**
  - Working Group 13 on human element progress report
  - Operational support to AIBs – ROVs services for MS
  - Proposal for operational support to AIBs – Tool supporting evidence data processing
  - Proposal for operational support to AIBs – Disseminating safety reports' conclusions and lessons learned
  - SEG's familiarisation for seldom users
- **Accident Investigation Directive (AID) revision**
  - Working Group 10 progress report on AID revision
  - Impact assessment state-of-play
- **Investigation reports**
  - Technical observations on final reports for improving their quality
- **Training and qualification**
  - Working Group 4 on training and qualification progress report
  - Training activities by EMSA: (i) done, and (ii) planned for 2023
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- **IMO IMSAS**
  - Feedback from Greece
- **Learning from accidents**
  - EMCIP data analysis on navigation accidents
  - EMSA annual overview of marine casualties and incidents
  - EMSAFE Report
  - Study to detect potential Covid-19-related safety issues and emerging risks contributing to marine casualties and incidents
  - Misuse of data published in safety reports
- **EMCIP Governance**
  - EMCIP: state-of-play, planned development, input from EMCIP UG and familiarisation activities
  - Improving reporting in EMCIP
  - Feedback on data sharing
  - EMSA data access policy
  - Proposal for streamlining the sharing of EMCIP data

- Data quality
- Assessment of possible impact on reporting in EMCIP due to BREXIT
- **AOB**
- **Work Programme**
  - Input for inter-sessional PCF workshop
  - Update / Follow up
- **Elections of the PCF Chairperson & Deputy**

## **Summary of the main outcomes**

### Updates by the Member States, EMSA and EC

MS shared information on the safety investigations carried out after PCF11 (September 2022) and safety topics of interest and delivered presentations on ongoing high-profile investigations.

The Commission updated the Group on the ongoing revision of the three safety Directives (AI, FS, PSC).

EMSA mentioned its commitment to provide operational support to AIB upon request as per the Agency's founding regulation and introduced the new structure of the AI sector.

### PCF working groups (WG) progress reports

WG4 on training/qualification delivered input to enhance the new training on VDR, and the development of the Common Core Curricula on accident investigation in the context of the EMSA Academy. It will continue its work to finalise the catalogue of training courses and draft report writing guidelines.

The Group endorsed the work done so far by the WG13 on developing a document supporting AIBs in embracing system thinking in AI and instructed the WG to submit at PCF13 the final version. WG13 proposed also input for a PCF inter-session workshop on HE that could be organised at EMSA premises in 2023.

WG10 will continue being the interlocutor of the Commission for providing technical input in the context of the AID revision.

A new WG and one Correspondence Group (CG) were established.

### Cooperation and exchange of best practices

The Group took note of the updated version of the “List of web sources to gather information on marine casualties and incidents”, “Practices/procedures on data confidentiality when external experts are contracted to support an investigation”, and “Updated list of national resources”.

### Enhancing safety investigations

EMSA provided an update on the ongoing procurement of ROV services for AI. The Group established the ROV user group to give EMSA advise and feedback on this future service.

The Group agreed to establish the WG15 to elaborate the characteristics of a future tool supporting evidence data processing and explore the available software on the market and discussed a proposal to improve the dissemination of safety reports' conclusions, to be facilitated by EMSA in the context of operational support to AI. The latter will be further elaborated by correspondence.

EMSA updated the Group on the available tools to support the SEG familiarisation, particularly for seldom user.

### AID revision

The EU Commission updated the Group on the ongoing impact assessment for the AID revision.

### Investigation reports

EMSA mentioned that enhanced tools to apply the agreed methodology supporting the preparation of technical observation on the final reports to improve their quality were under development. A pilot project to test the methodology will be launched with the volunteer MS.

### Training and qualification

EMSA recalled the training initiatives organised after PCF11 and mentioned the tentative plan for 2022, both for EU MS and 3<sup>rd</sup> Countries. Information concerning the provision of training in the context of the EMSA Academy was provided as well.

#### Learning from accidents

EMSA announced that a new safety analysis on EMCIP data concerning navigation accidents will be published shortly and thanked the MS that volunteered to participate in an expert consultation group to provide technical input to enhance the analysis.

The Agency highlighted the improvements that will be incorporated in the “Annual overview 2022”, which will be published during Q4 2022. Amongst others, it will include detailed safety indicators measuring the ratio of the number of accidents involving specific vessel types against the relevant ship population.

EMSA presented to the Group the EMSAFE report, which was published in June 2022. EMSAFE is the first comprehensive overview of maritime safety in the EU. It provides a factual overview of a wide range of maritime safety topics.

The Group was informed that EMSA launched the procurement process for a safety study to detect potential COVID19-related safety issues and emerging risks contributing to marine casualties and incidents.

The possible misuse of data concerning the identification of the ship or Company in safety reports by commercial entities was debated. The Group decided to establish a correspondence group to collect and share experiences from sensitive legal situations coming up during investigations.

#### EMCIP Governance

EMSA informed the Group about the new functionalities available in EMCIP, the planned improvements and input from the UG. They discussed the use of the recently implemented incident reporting module for non-registered users and the EMCIP familiarisation initiatives.

The Agency updated the GG on implementing the reporting schema when other entitled authorities (OEA) are involved and stressed the benefits of sharing the reporting burden between national authorities. The possibility to link EMCIP to national systems via API was introduced as well.

EMSA provided figures on the requests for EMCIP data received by various stakeholders since PCF11.

The synergies between the PCF rules and the EMSA access to document rules were discussed, and some adjustments to the PCF rules were agreed to ensure compliance with Reg.1049/2001 and rationalise the consultation process when requests for EMCIP data are received.

A proposal to streamline the dissemination of the agreed dataset following via the EMCIP public portal was debated. The Group agreed on various enhancements of the public portal to facilitate data access within the agreed framework. It was noted that this approach is likely to minimise the administrative effort to cope with off-line data requests, as required by the current procedure.

The systemic checks on data quality agreed upon at PCF10 and PCF11, including the acceptance approach of finished investigations with the status “proposed” will be conducted during the 1<sup>st</sup> half of 2023. This task, like other exercises already undertaken, will substantially increase the data quality and will be carried out to minimise MS's burden.

The Group debated the potential impact on the administrative burden for the EU-EEA MS in reporting to EMCIP following the withdrawal of the UK.

#### Elections of the Chairperson and Deputy-Chairperson

The elections of the PCF Chairperson and Deputy-Chairperson took place regularly.