

Access to CVR Data for Maintenance Purposes

BACKGROUND

Cockpit Voice Recorder (CVRs) have been mandatory in commercial air transport for more than 40 years. ICAO provisions related to CVRs can be found in Annex 6 (for inspection, design and operation) and Annexes 13 and 19 (for data protection). Under Annex 13, para. 5.12, CVR recordings cannot be made available for purposes other than accident or incident investigation. Nearly all civil aviation authorities have protections in place to prevent the inappropriate use of the CVR. Despite this clear wording and protections, and even in those Member States having fully incorporated Annex 13 into their national legislation, CVR data continues to be used for purposes other than what was intended, and is being leaked/given to the media or appears on the internet. Recent examples include Spanair JK-5022, Air France AF-447 and Germanwings 4U-9525. It is therefore essential that any use of CVR data outside the scope of Annex 13, has to be subject to enhanced protection.

ICAO has extensive provisions addressing CVR inspection, which can be found in Annex 6, Part I, Appendix 8, para. 7. In theory, these provisions should ensure the proper operation of the CVR. Nevertheless, some recent investigations such as the one into Swiftair flight AH-5017 have revealed that the CVRs were not actually recording satisfactorily, and international Standards are starting to address this. For example, since October 2014, the EU Regulation on CVR serviceability checks requires a mandatory, yearly check of an in-flight sample of CVR recordings on all audio channels. The issue was also brought to the attention of ICAO's Flight Recorders Group.

POSITION

Whilst IFALPA opposes the use of CVR data for maintenance purposes, the Federation believes that maintenance of the CVR for confirming functionality and intelligibility is essential for accident investigations under ICAO Annex 13. IFALPA supports researching and developing standards to test CVR serviceability without listening to crew recorded data.