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JAL 706 appeal verdict a victory for justice and the cause of air safety

Chertsey 19 January: The International Federation of Air Line Pilots' Associations congratulates the Nagoya High Court for its rejection of an appeal by the Public Prosecutor in the JAL706 case. The Public Prosecutor's office was appealing a decision by the Nagoya District Court which had found Captain Koichi Takamoto innocent of any wrong doing during the JAL706 incident which resulted in the death of a member of the cabin crew.

Indeed, in rejecting the appeal, the Judge went further than the earlier District Court judgement in accepting completely the clear evidence that while some input on the flight controls had been recorded this force was not applied intentionally by Captain Takamoto and did not lead to the sudden pitch up and autopilot disconnect and he is in no way to blame for the accident.

Although it is possible for the Public Prosecutor to submit a further appeal to the Supreme Court, the wording of the judgement makes it unlikely that an appeal will be submitted or accepted.

A mandate for change

IFALPA argues that this verdict is also a mandate for change in Japanese law. ICAO Annex I3 of the Chicago Convention states: "The sole objective of the investigation of an accident or incident shall be the prevention of accidents and incidents. It is not the purpose of this activity to apportion blame or liability". Accordingly, the Federation calls on the Japanese Diet to introduce legislation that will bring the country's accident investigation procedures into line with the letter and spirit of this Annex.

Notes to Editors

The International Federation of Air Line Pilots' Associations represents in excess of 100,000 pilots in more than 95 countries world-wide. The mission of IFALPA is to be the global voice of airline pilots, promoting the highest level of aviation safety and security world-wide and providing services, support and representation to all of its Member Associations. See the Federation website www.ifalpa.org

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