

08POS03

IFALPA Position on crew escape from hijacked aircraft on the ground

At all times in a hijack the safety of the passengers and crew as well as the denial of the aircraft to the hijacker(s) is of paramount importance. The pilot-in-command, who is responsible for the aircraft's security and has the best overview of the situation, must have the means to react according to the level of risk and the actual situation on board. Any measures taken should enhance his/her ability to assess the situation thoroughly, and if possible bring it under control. Therefore, IFALPA supports the statement in ICAO Doc 8973 (Security Manual) which states in paragraph 5.2.3 that:

*“When an aircraft which has been unlawfully seized is at rest at an airport, the competent authorities of the State in which the airport is situated should not take any action to terminate the unlawful seizure of the aircraft without **taking into account, particularly, any wishes that the pilot-in-command may have been able to express** and, if feasible, those of appropriate officials of the State whose airline is operating the aircraft, full weight being given to all relevant circumstances and to the views of the operator. The safety of the passengers and crew should be the overriding consideration of those involved in reaching any decision.”*

IFALPA supports this recommendation, on the basis that a hijack is a life-threatening situation, which forces the flight crew to take quick and appropriate decisions whilst under strong pressure.

With regards to crew actions once the aircraft is on the ground, ICAO Doc 9811 (Manual on the Implementation of the Security Provisions of Annex 6) states in paragraph 10.3.3 that

*“while certain states have reservations, and legal concerns, about flight crew evacuation, it must be borne in mind that once the flight crew is off the aircraft, the aircraft becomes a standard law enforcement barricade/hostage situation. Upon balancing the various aspects of the threat situation of the specific incident, **it may, in the judgement of the pilot-in-command, be in the overall interest of passengers, crew, and others, for the flight crew compartment crew to escape from the aircraft.** This generally places the passengers and remaining crew in a more controlled, and therefore more manageable, situation.”*

IFALPA agrees that the escape of crew members from hijacked aircraft should be left to the discretion of the pilot-in-command, and that such a decision should be based upon the principle that the safety of the passengers and crew is paramount.

