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# Removal of "Causes" in Final Reports of Annex 13 Investigations

## BACKGROUND

ICAO Annex 13, Chapter 1 includes the following definitions:

**Causes.** *Actions, omissions, events, conditions, or a combination thereof, which led to the accident or incident. The identification of causes does not imply the assignment of fault or the determination of administrative, civil or criminal liability.*

**Contributing factors.** *Actions, omissions, events, conditions, or a combination thereof, which, if eliminated, avoided or absent, would have reduced the probability of the accident or incident occurring, or mitigated the severity of the consequences of the accident or incident. The identification of contributing factors does not imply the assignment of fault or the determination of administrative, civil or criminal liability.*

## PROBLEM

An investigation conducted in accordance with Annex 13 is a very complex process, well described in ICAO Doc 9756, the Manual of Aircraft Accident and Incident Investigation, which has over 1,000 pages. This complexity is usually reflected in final reports which can also reach hundreds of pages.

However, when these final reports include a paragraph – or chapter - entitled "causes" or any derivation of that word, such as "probable causes" or "causal factors", it is often the only text that will be read by the media and thereafter broadcast to the general public. This influences people to jump to conclusions, giving the (false) impression that the occurrence was the result of a few easily-avoided errors. This leads to assigning blame to people or organizations that "caused" it, impeding the meaningful analysis of necessary actions for the prevention of a reoccurrence, and the proper identification of hazards.

Humans are often in situations where decisions and actions must be made quickly, in real time, with the information as it is perceived at that exact moment, influenced by surrounding circumstances. This information can sometimes be presented in a

confusing or incomplete manner, and mistakes can be made regardless of the person's level of professionalism, training, or experience.

In hindsight, it is very easy to judge these decisions and actions and call them "causes". That designation is not helpful to the enhancement of safety that final reports try to achieve. Describing an error as a "cause" adds disproportional weight to this single aspect, and always implies blame, especially in cultures where social or legal systems have created an environment that demands punishment, even for mistakes.

To avoid this problem, IFALPA has been recommending for many years that the term "contributing factors" should replace "causes" in final reports of Annex 13 investigations and contributed to the definition of this term as it is now included in the Annex.

The Federation believes that this replacement would lead to a more thorough reading of final reports and help the aviation industry, the media and, the public to understand that occurrences result from many different sets of circumstances and their interconnectivity, and that complex failures that cannot be summarized in a few lines.

Many National Accident Investigation Authorities, such as Argentina, Australia, Brazil, Israel, New Zealand, and Uruguay have either never used "causes" and its derivations in their final reports or have now stopped using those words. Australia, for example, uses terms like "safety factors", "contributing factors", "other factors that increase risk" and "other findings". IFALPA fully supports this approach.

## POSITION

When mentioned in the report of an Annex 13 investigation, especially as the title of a paragraph or chapter, the word "cause" and its derivations have a strong potential for over-simplifying the many aspects behind an occurrence. They also have the potential for being confused with "liability" and subsequent attribution of blame, leading to punishment and other consequences such as legal compensations. This is in contradiction to the objectives of ICAO Annex 13.

IFALPA therefore reiterates that all instances of those words should be removed from this Annex and from the final reports of occurrence investigations conducted in accordance with it and replaced with "contributing factors". This would greatly increase the clarity of the concept and be more appropriate to the positive safety culture environment that the aviation industry is striving to implement.