

Runway Incursions

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Runway Incursion – A Definition

"Any occurrence at an aerodrome involving the incorrect presence of an aircraft, vehicle or person on the protected area of a surface designated for the landing and take-off of aircraft."

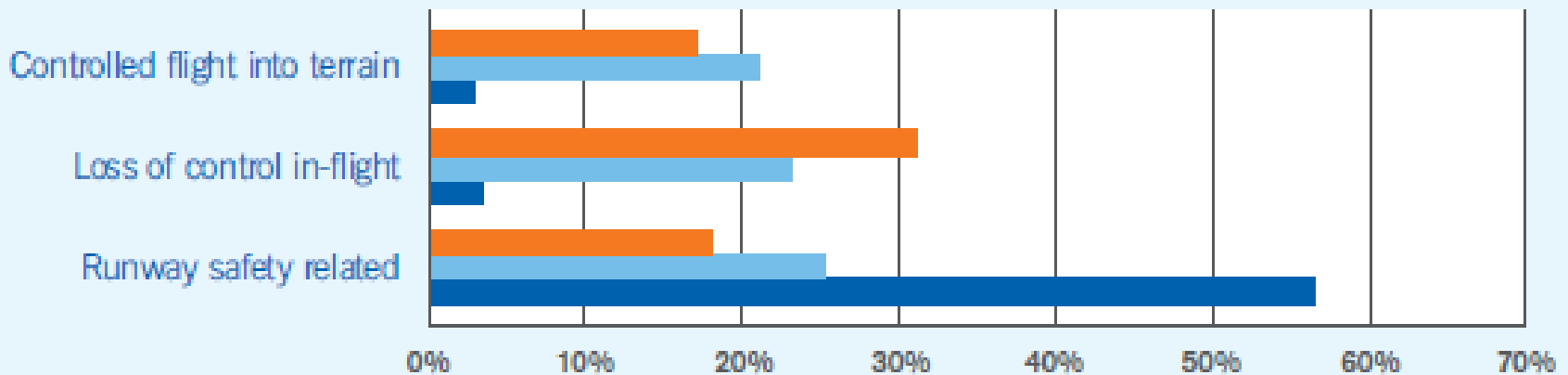
Source ICAO Document PANS-ATM, doc 4444



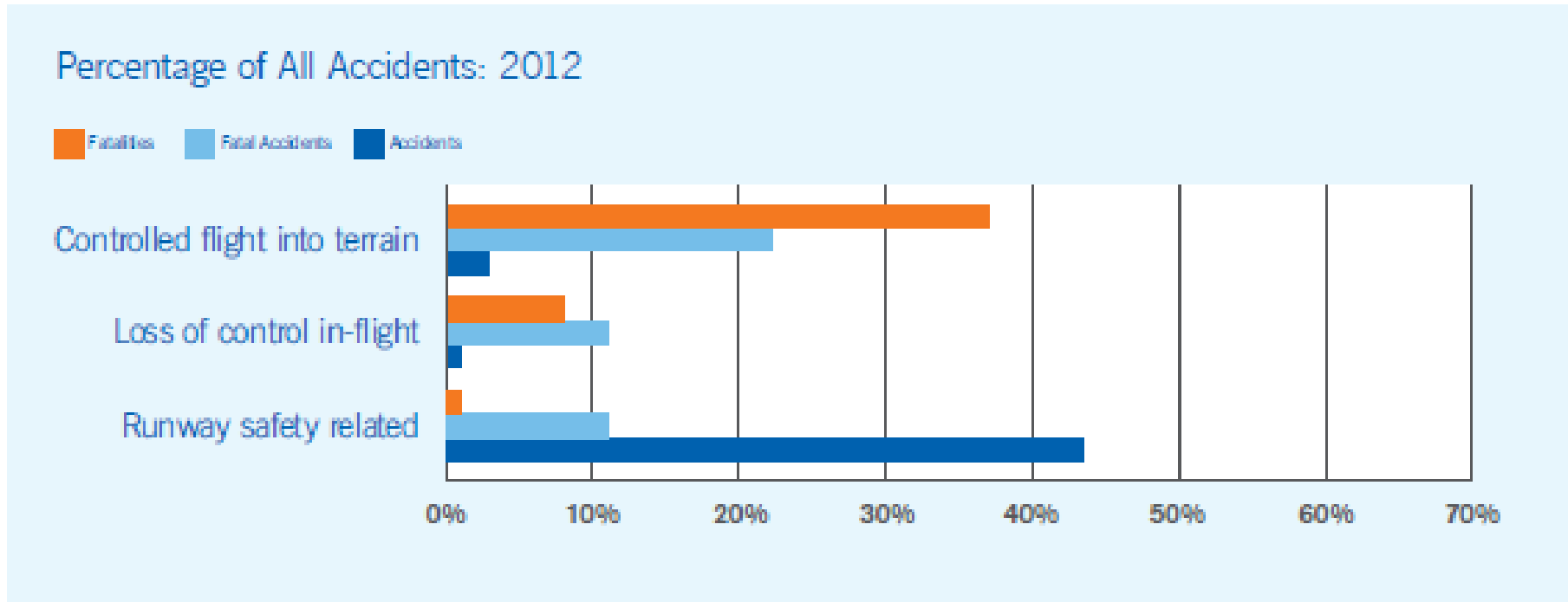
Excerpt ICAO Safety Report 2013

Percentage of All Accidents: 2006–2011

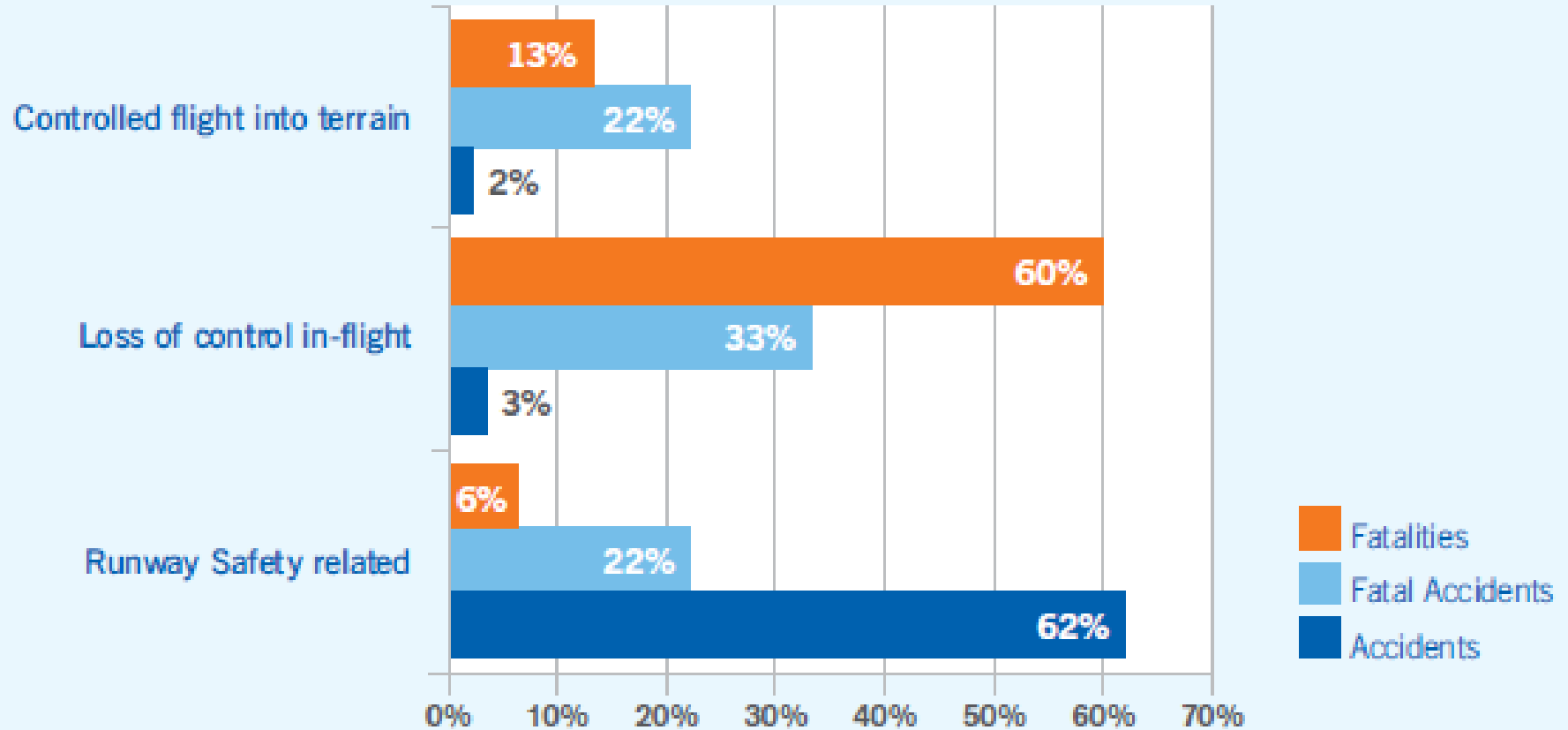
■ Fatalities
 ■ Fatal Accidents
 ■ Accidents



Excerpt ICAO Safety Report 2013



Excerpt ICAO Safety Report 2014



Statistics

"A survey of operational staff showed that approximately 30% of drivers, 20% of air traffic controllers and 50% of pilots have reported being involved in runway incursions."



"Statistics show that most runway incursions occur in visual meteorological conditions during daylight hours; however, most accidents occur in low visibility or at night."

Causal Factors - Communication

- Equipment
- Language
- Fatigue
- Networks
- Phrases
- No Blame culture

Causal Factors - Layout

- Design v Usage
- Signs
- Habit
- NOTAM
- Visibility

Causal Factors - Weather

- Equipment
- Qualification
- Pressure to move
- Familiarity

Causal Factors - Surprises

- Reaction times
- No warning
- “Can Do”
- No procedures

Pan Am Accident 1977



Aeroflot Accident – 11 October 1984



Фото № 1 Общий вид самолёта после происшествия.



Фото № 8 Тепловая машина "Урал"



Фото № 3 Правая ОЧК с опорой шасси.

Tarom Accident – 30 December 2007

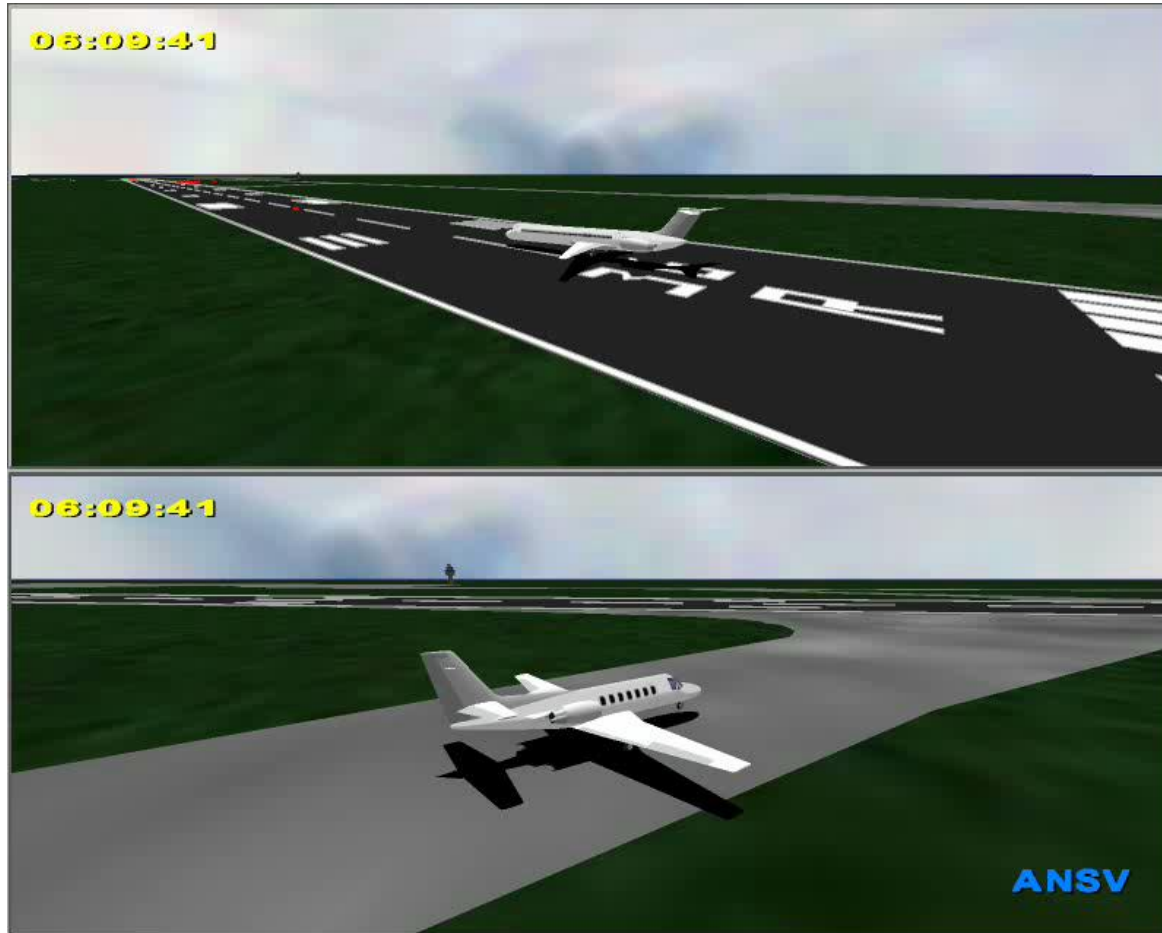


Unijet Accident – 20 October 2014



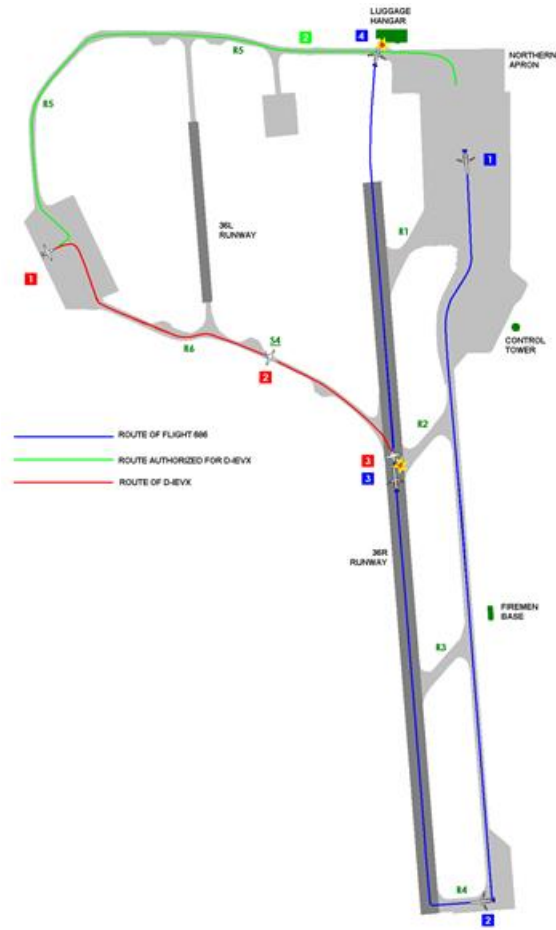
Veteran Avia Accident – 4 December 2013







Routing



SAS Linate Accident - 8 October 2001



Ground Collisions – Applicable Law

- Airlines
- Passenger claims
 - Warsaw Convention 1929
 - Hague Protocol 1955
 - Montreal Convention 1999
 - Local law

International Convention - Passengers

Article 17 — Death and Injury of Passengers

1. The carrier is liable for damage sustained in case of death or bodily injury of a passenger upon condition only that the accident which caused the death or injury took place on board the aircraft or in the course of any of the operations of embarking or disembarking.

Article 21 — Compensation in Case of Death or Injury of Passengers

1. For damages arising under paragraph 1 of Article 17 not exceeding 113 100 Special Drawing Rights for

each passenger, the carrier shall not be able to exclude or limit its liability.

2. The carrier shall not be liable for damages arising under paragraph 1 of Article 17 to the extent that they

exceed for each passenger 113 100 Special Drawing Rights if the carrier proves that:

(a) such damage was not due to the negligence or other wrongful act or omission of the carrier or its

servants or agents; or

(b) such damage was solely due to the negligence or other wrongful act or omission of a third party.

Applicable Law

- Third parties
 - air traffic controllers
 - ground handlers
 - Fuellers
 - other airlines
- Basis for liability?
 - Breach of contract
 - Negligence
 - tort
 - Breach of local regulation/breach of statutory duty
- What are the usual norms (ICAO Annexes and Standards and Recommended Practices - SARPS)

ICAO Annexes - SARPS

Annex 6 – Operation of Aircraft

Annex 11 – Air Traffic Services

Annex 14 – Aerodromes

Linate – Criminal Prosecution/Conviction

FINAL CRIMINAL JUDGEMENT AFTER THE COURT OF CASSATION DECISION 20 February 2008					
ORDINARY TRIAL					
DEFENDANTS	COMPANY	POSITION	1° DECISION 16 April 2004 Judge Ambrogio Moccia	APPEAL DECISION 7 July 2006 Judge Caccamo	CASSATION DECISION 20 February 2008 Judge Mariano Battisti
GUALANO SANDRO	ENAV	Managing Director	6 YEARS AND 6 MONTHS	6 YEARS AND 6 MONTHS	6 YEARS AND 6 MONTHS
PAOLO ZACCHETTI	ENAV	Flight controller	8 YEARS	3 YEARS	3 YEARS
FEDERICO FRANCESCO	ENAC	Area Director Airport of Milano	6 YEARS AND 6 MONTHS	ACQUITTED	ACQUITTED
FUSCO VINCENZO	ENAC	Director of Linate's airport	8 YEARS	ACQUITTED	ACQUITTED
SUMMARY TRIAL					
DEFENDANTS	COMPANY	POSITION	1° DECISION Judge Nicola Ckivio	APPEAL DECISION Judge Caccamo	CASSATION DECISION
MARZOCCA FABIO	ENAV	General Manager	4 YEARS AND 6 MONTHS	4 YEARS AND 6 MONTHS	4 YEARS AND 6 MONTHS
CIARNIELLO SANTINO	ENAV	Resp. Air Traffic	3 YEARS AND 4 MONTHS	2 YEARS AND 8 MONTHS (plea bargain)	2 YEARS AND 8 MONTHS (plea bargain)
GASPARINI SANDRO	ENAV	Resp. Terminal Operations	ACQUITTED	ACQUITTED	ACQUITTED
PATRIZI NAZARENO	ENAV	Resp. Lombardia Region	3 YEARS AND 10 MONTHS	3 YEARS (plea bargain)	3 YEARS (plea bargain)
PERRONE RAFFAELE	ENAV	Resp. Central Flight assistance	3 YEARS AND 10 MONTHS	3 YEARS (plea bargain)	3 YEARS (plea bargain)
CAVANNA ANTONIO	SEA	Resp. Development and maintenance	ACQUITTED	3 YEARS	3 YEARS
GRECCHI LORENZO	SEA	Resp. Airport resource management	ACQUITTED	3 YEARS	3 YEARS

Safety initiatives

- From Individuals to Organisations
- Selection, Training and Motivation of staff
- Safety Management System
- “Operational Audits”
- ICAO Manual for Best Practice guidance

Conclusions

- Infrastructure
- Operational standards
- Statistical trends/blips; more incidents/more fatalities?
- Significant exposures
- Need for adequate Insurance



CLYDE&CO

Thank you for listening

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