

**"INDEPENDENT ACCIDENT INVESTIGATION:  
EVERY CITIZEN'S RIGHT, SOCIETY'S DUTY"**

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## **INTRODUCTION TO THE 3<sup>rd</sup> EUROPEAN TRANSPORT SAFETY LECTURE**

**Professor Herman De Croo MP**

Chairman – Board of Directors  
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As the President of the Belgian Chamber of Representatives, it gives me great pleasure to host this event in the Belgian Parliament.

Our aim in the European Transport Safety Lecture is to increase awareness of innovation and research-based solutions to important problems amongst senior levels of government, Parliament and the private sector. By mounting this annual Brussels event our objective is to stimulate a high level debate across the European Union, to exchange knowledge and experience and to help forge new commitment to efforts to reduce the risks and costs of transport crashes.

Pieter van Vollenhoven in the 3<sup>rd</sup> European Transport Safety Lecture “Independent accident investigation: every citizen’s right, society’s duty” addresses the fundamental issue of how we go about determining the contributory factors to transport accidents and the importance of getting the institutional arrangements right. Pieter van Vollenhoven is a leading advocate for independent accident investigation. He chairs the Dutch Transport Safety Board and was the Founder of the International Transport Safety Association.

As we await the forthcoming discussion by the EU institutions of the strategy and content of the common transport policy to 2010, there could be no better time to focus on this fundamental area of activity and to highlight appropriate EU actions.

I am sure that this Lecture and the follow up review on transport crash investigation to be published by ETSC in early 2001 will make a full contribution to defining the way forward.

## **INDEPENDENT ACCIDENT INVESTIGATION: EVERY CITIZEN'S RIGHT, SOCIETY'S DUTY**

Mr Chairman, ladies and gentlemen,

Let me start by thanking you, Mr Chairman, for your kind invitation. I am delighted to be here with you today. I know that this sounds very polite. But I mean what I say in all sincerity, because today you turn the spotlight on the subject of independent investigations into the causes of accidents and incidents.

A subject that is very close to my heart. It is even more than just that. In fact, I believe that the public has the right to independent investigations – a right guaranteeing that such investigations can and will be carried out.

### **THE RIGHT TO INDEPENDENT INVESTIGATIONS?**

Why a right to independent investigations?

Because they are the only way to establish exactly what has happened. In establishing exactly what happened, they put an end to any public concern that may have arisen in the aftermath of the accident.

They can help the victims and their families come to terms with their suffering. They can teach us lessons for the future, so that we can prevent such accidents happening again. What is more, independent investigations make our actions transparent. In fact, you could say that they help our democracy to function properly.

In other words, independent investigations can be of great significance to society. Only if people have the right to them, and this right is anchored in law, can we guarantee that they can and will be carried out.

### **THE EUROPEAN TRANSPORT SAFETY COUNCIL**

For all of these reasons, Mr Chairman, ladies and gentlemen, I was more than delighted to learn that the European Transport Safety Council had decided on independent investigations as the subject of its third European Transport Safety Lecture.

But, Mr Chairman, there was another reason for me to be so pleased to be here with you today.

On 12 February 1990, as Chairman of the Dutch Road Safety Council, and acting on behalf of the Deutscher Verkehrssicherheitsrat and the British Parliamentary Advisory Council for Transport Safety, I advised the then European Transport Commissioner, Mr Karel van Miert, to set up a European Road Safety Council.

If you looked at the casualty rate, Europe's roads were the scene of guerrilla warfare at that time. In fact, the number of lives claimed by Europe's roads every year equalled the number of American soldiers lost in fourteen years of war in Vietnam.

The Council we were proposing was to advise the European Union on road safety policy. In our talks on the subject, Mr Van Miert asked us to investigate whether its remit could be extended to cover the entire transport sector. In October 1991, we presented our final report. From the many discussions we had held, we had concluded that an independent advisory council for Transport Safety for the European Commission was indeed called for.

I regret to say that the European Commission did not adopt our recommendations, since it was not in favour of appointing a permanent organisation.

A permanent organisation that would not only be paid for by the European Commission, but would also be allowed to criticise it? That was too much to ask. In the Netherlands this was quite a normal setup. But for the European Commission, it was definitely a bridge too far.

It was for this reason that in 1993 the Dutch, German and British boards decided to take matters into their own hands and to establish – at their own risk – the European Transport Safety Council. Its organisation was modelled on the British Parliamentary Advisory Council for Transport Safety.

Speaking as joint initiator, founding member and member of the Board, I am delighted to say that our ETSC has grown into an authoritative advisor on transport safety, serving both the European Union and the individual member states.

It is largely thanks to the inspiring leadership of our Chairman, Herman de Croo, and our Executive Director, Jeanne Breen, that the Council has been so successful. Mrs Breen was previously Executive Director of the PACTS, and her experience has been vital to the success of the ETSC. I also like to mention here our close cooperation with the European Commission (which is financially supporting our reports) and the European Parliament.

In the report we published in 1991, one of our recommendations was as follows: "there is a need within EC member states to strive towards independent, high quality accident investigation accompanied by uniform reporting. A future

European Transport Safety Council could fulfil a useful role in helping to encourage such improvements...”

This meeting, therefore, has special significance for me. True, it has taken nearly ten years for us to turn the spotlight on this recommendation. But that is not unusual. My first letter advising the Dutch government to set up a Transport Safety Board responsible for carrying out independent investigations dates from March 1983. The Board was finally appointed sixteen years later, on 1 July 1999. As you will have understood, it takes a ‘little’ time before calls for independent investigations meet with any response. But luckily times are changing.

## **THE INTERNATIONAL TRANSPORTATION SAFETY ASSOCIATION**

In the same year - 1993 – I worked with the American, Canadian and Swedish (transport) safety boards to set up the International Transportation Safety Association. ITSA combines all the world’s multi-modal safety boards, as well as several single-modal safety boards.

All have one thing in common. They are responsible for investigating the causes of accidents and incidents in general, and transport accidents in particular. Within ITSA much information and experience is exchanged. We train investigators, help each other with investigations and promote independent investigations worldwide.

## **INDEPENDENT INVESTIGATIONS SHOULD BE KEPT STRICTLY SEPARATE FROM INVESTIGATIONS INTO THE PARTY OR PARTIES TO BLAME**

Mr Chairman, Ladies and Gentlemen. Let me now turn the spotlight on the subject of independent investigations.

What exactly were our reasons for introducing independent investigations into the causes of accidents and incidents? The reasons were, that the parties involved began to realise that the criminal law inquiry which attempted to find out who was to blame for an accident was not the right instrument to find out just what exactly had happened. If lessons were to be learned for the future, and steps were to be taken to prevent the same thing from happening again, it was absolutely essential to find out what had gone wrong and what had led to the disaster or accident.

Another type of investigation was thus needed. An investigation what we now call in-depth investigation. It was a method that first gained international acceptance in investigations of aircraft accidents. Annex 13 to the ICAO convention was

adopted in 1951. It specified that an investigation into the causes of an accident had to be held separately from the investigation into the party or parties to blame. But the word “independent” had not come into play yet! The intention at the time was simply to create a strict division between the two types of investigation.

This step was limited in many ways, since the investigation required by Annex 13 was not independent, and it only applied to the aviation sector. The reason was, I believe, that society at that time was too little aware of the fact that the scope of the criminal law inquiry is restricted to discovering the direct cause of an accident, not the underlying causes. What is more, any possible suspects identified during such an inquiry are not obliged to make statements that might incriminate them.

If the truth is to be established, and if an independent investigation is to be successful, statutory guarantees are needed to ensure that witnesses are free to tell the truth. It is impossible to carry out an independent investigation if the government simply puts together or appoints a committee to do so. To be successful, independent investigations need to be anchored in law, with regulations to govern the powers of the investigators. There need to be provisions giving the investigation board the power to decide which statements and which of the underlying reports can be made public. And the law needs also to specify that the final report cannot be used as evidence in criminal or civil law proceedings.

In other words, we are talking not only about two entirely different methods of investigation, but also about a completely different legal framework for the independent investigation.

As I have already pointed out, I have many reasons for feeling so strongly about the value of such investigations. Transparency is such an important issue, because safety has long been a very complex subject, in which many – often conflicting interests - play a part. All too often in the past, safety has taken a back seat when other interests come into play – economic interests in particular. Indeed, in some cases, the parties involved stand to gain if the true causes of an accident are never revealed.

I can, of course, give you many examples of safety playing a secondary role to other interests.

In the aftermath of recent earthquakes, for instance, it was discovered that builders had for many years totally ignored building regulations, and that government inspectors had been bribed to turn a blind eye, or had not done their work. The consequences were there for all to see. Or to cut costs, tunnels were built with too few emergency exits. Trucks are often overloaded for the same reason.

Recently the contents of a letter leaked out. This is what it said: "it is not the purpose of maintenance to discover defects, but to establish whether the plane can still safely be used for the coming period." Maintenance would otherwise be too costly. And staff were threatened with dismissal if they talked to the press about it. Safety drills were postponed for months on end because they were too expensive. And anyway, when did we last have a serious accident?

A police helicopter was not deployed in one rescue operation. Why not? For reasons of economy, because of a new duty roster. But the helicopter happened to be the only one with vital infrared equipment on board. Presumably the police had conveniently forgotten that one of their tasks is "to assist those in need".

And take the Challenger crash. Long before it happened, warnings had been issued about possible leaks in the O rings. But suspending the space shuttle programme would have been a very expensive business. In the end, it was a leak that led to the fatal explosion. This is what the investigation report said: "we can lower our standards a little bit, because we got away with it last time... You got away with it, but it should not be done over and over again like that...".

Two days before the Hatfield rail disaster, Gerald Corbett, Chief Executive of Railtrack, the company responsible for the rail infrastructure in Britain, announced that privatisation had made the railways less safe and more chaotic. Privatisation split the railways up, putting a structure in place that would produce maximum returns. Corbett confirmed that since British Rail had been privatised, shareholders' profits took priority over safety. Corbett offered to resign after the Hatfield crash – the third in three years in which people died - but his offer was rejected. The company implicitly admitted that it was to blame for the accident, which was caused by wear to the tracks. Railtrack knew that this section of the track was in poor condition – and that eighty-one more sections of track were in a similar state. At the time of the Paddington disaster in 1999, the company was making a profit of 1.9 million pounds a day, but it found safety systems too expensive.

In other words, I could go on giving you example after example where safety played a secondary role. Now, however, I should like to give you two examples that clearly demonstrate the striking difference between the investigation into the party to blame, and the investigation into the causes of the accident.

A motorist once ignored a red light, causing a very serious accident. He too was seriously injured. Witnesses stated that the lights were red, but he himself insisted that he had not seen them. It seemed quite obvious that the motorist was to blame. But two years later the same accident happened again at the same place. And the statements issued by witnesses and motorist were almost identical. Further investigations showed that a wet road in combination with a certain angle of light produced an optical illusion that prevented the motorist from seeing the traffic lights.

My second example has to do with a train that passed over wrongly switched points at high speed – 120 kilometres an hour. Fortunately, the train stayed on the track. Normally, forty kilometres an hour was the maximum speed when the points were in this position. It was therefore very fortunate that the train was not derailed or overturned.

When the accident happened, maintenance work was being done on the points. They had changed position because the engineers had not secured them according to the rules. The criminal justice authorities were highly interested in this accident, because two maintenance engineers had been killed when the train shot over the points.

To start with, it looked very clear who was to blame. The foreman of the maintenance unit had not worked according to the rules. But the independent investigation showed that for years no one had been keeping to them. If engineers had worked by the book they would only have managed to service one or two points a day. But in practice they were expected to deal with six or seven. What is more, train services were not to be disrupted by the work. In other words, the rules that had developed in practice – and were even being applied in training – were totally different from the rules that had been put down on paper. And it turned out that those who had written the rules had never discussed matters with the engineers, or vice versa.

In the end, the independent investigation led to very different conclusions about the causes of the accident than the investigation into the parties to blame. The report of the Safety Board, in which all the underlying factors were revealed, led to the decision to drop all charges.

It cannot be denied that there is some tension between the two investigations. The body of civil case law on the subject is expanding rapidly. And where criminal proceedings are instituted, there is an increasing tendency to prosecute rather than to drop the charges. What is more, it is impossible to give watertight guarantees that the results of independent investigations will not be used in criminal or civil law proceedings.

Many international conferences are now being devoted to the issue. But experience has shown that independent investigations can still be carried out in good faith. People attach so much value to them that the view generally expressed at these conferences is that “there is a moral obligation to enhance safety if you can, and if you risk litigation, so be it.”

But there is one more essential difference between the two types of investigation. I refer here to the type of independent investigation we refer to as incident studies. They are of great importance in enhancing safety.



In the past, investigations tended to centre on accidents. However, since prevention is better than cure, safety boards are now increasingly turning their attention to incident studies. I recall an incident involving a Boeing 747 that had been cleared for take off for a ten-hour flight to Los Angeles. At the same moment, a tractor was given permission to tow an aircraft across the runway. Weather conditions were poor, but fortunately the pilot was able to abort take-off at the last minute. It is unlikely that any of the passengers would have survived had there been a crash. The criminal justice authorities take no action when such incidents occur. But they are of vital importance to independent investigations.

Despite the strict distinction between the two types of investigation, there is some form of cooperation with the criminal justice authorities. At the start of the investigation, the police can play a useful role as fact finders. In the Netherlands, the Transport Safety Board gives police officers extra training to enable them to carry out on-the-spot investigations. We also brief them on the type of accident that should be getting their closest attention.

The police reports are sent to both the criminal justice authorities and the Board. In our turn, we have agreed to report serious offences we encounter in the course of our work. We do not report other, more minor offences. If, for instance, we come across a captain who has been sailing a ship without the proper papers, we will point this out to him ourselves.

Please note that if you decide to introduce independent investigations, any serious accident will call for two separate investigations, to be carried out at the same time. And this can lead to problems. However, this has never been a reason to abandon the whole idea of independent investigations.

## **IS THE NEED FOR INDEPENDENT INVESTIGATIONS STILL A SUBJECT OF DEBATE?**

It would be safe to say that the need for independent investigations is no longer a subject of debate. For whenever and wherever a serious accident occurs, the media, the general public, the victims and their families, Members of Parliament and the government immediately call for an independent investigation into its causes.

## **THE INDEPENDENCE OF THE INVESTIGATIONS**

In short, no one questions the need for them. But the question is how independent are these investigations in practice?

Since very serious accidents do not happen often, there are few countries that have permanent independent committees solely responsible for investigating

their causes. Not only were such committees regarded as unnecessary, but it was also felt that the members would soon lose their expertise through lack of work. In many cases, therefore “independent” investigations were – and still are - carried out by government inspectors. After the industrial revolution, the government increasingly adopted responsibility for safety. It gained a monopoly over safety, and was responsible for both drafting regulations and monitoring compliance with them. In fact, society identified the government with safety. Safety and the government have long been two sides of the same coin.

In some cases, to ensure the “independence” of an investigation, the government appointed a special committee, chaired by an independent person, such as a judge. But the committee itself was usually made up of government inspectors, or people working for them. After all, they had the expertise that was needed. And society usually accepted this procedure, because, as I have already pointed out, government and safety were regarded as two sides of the same coin. What is more, it was often the only way possible of carrying out an investigation, apart from calling in a private agency or university. It was not until much later that the public began to question the significance or worth of these investigations. For if the intention was to learn from them, and if so many conflicting interests were involved, they had to meet one very basic condition. They had to be carried out independently of all interests but one. And that one interest was safety. There could not be even the slightest suggestion that any other interest influenced the findings of the investigation, or the committee’s recommendations.

Increasingly, people began to realise that government inspectors were not independent. After all, they were closely involved in drafting regulations, and monitoring compliance. They were, in fact, both judge and jury.

For that reason, people increasingly began to ask what the parties involved were concealing. Even though they had nothing to conceal. For the slightest suggestion that an investigation is not impartial or that there has been a conflict of interests is enough to lead to a public outcry.

In short, the call for truly independent investigations into the causes of accidents became louder and louder. But experience shows that, in practice, the word “independent” is open to many different interpretations. According to the dictionary, “independent” means “free of control and autonomous”. I regret to say that this definition does not apply to many “independent” investigations.

As I have already pointed out, many investigations are still carried out by government agencies. In my experience as chairman of ITSA, governments are reluctant to give up this responsibility. Often, they see criticism of the findings as a motion of no-confidence. What is more, they are convinced that their inspectors are acting in good faith. But what I feel governments fail to understand is that in carrying out these investigations themselves – however well they do so – they are inviting criticism. And the only way for them to put a stop to this criticism is to

set up independent safety boards. Boards who are self-supporting and anchored in law and they address their recommendations directly to the parties concerned. Because any suggestion of conflict of interests is a threat to the credibility of investigations and their findings.

Total independence will, of course, never be achieved. The board has to be appointed, and funding will have to be provided by government. Existing safety boards have their own budgets, but they do not have the kind of money needed to salvage an aeroplane that has crashed into the sea, for example. In cases like the TWA 800 crash off Long Island and the Swiss Air crash off Halifax, the investigation cost were approximately 60 million dollars each! However, both appointments and funding are matters that can be arranged in a transparent way.

## **THE ROOTS OF ACCIDENT INVESTIGATIONS**

As I have already pointed out, the roots of accident investigations are to be found in the aviation industry. Once the distinction between the two types of investigation was recognised in Annex 13 in 1951, responsibility for carrying out these investigations into the causes was placed in the hands of the national aviation inspectorates. But it took about thirty years, from 1951 to the eighties, before the ICAO came to the conclusion that these investigations should be carried out independently.

In 1994, the European Union issued Directive 94/56, which went a step further, specifying that accident investigations should be carried out by a permanent, independent organisation.

As I have already told you, I strongly believe that people should have the right to independent investigations. Now, where aircraft accidents are concerned, they can claim that right – on the basis of both the ICAO convention, and the European directive of 1994. To be honest, however, I have to conclude that countries have been slow to transpose them into national law. In the Netherlands, for instance, investigations into aircraft accidents were linked for many years to disciplinary procedures. It was not until 1990 that our laws were amended to bring them into line with the 1951 ICAO convention. It thus took forty years for the Netherlands to comply with an agreement that had been reached internationally. And I regret to say that the Netherlands is no exception.

## **ESTABLISHMENT OF THE NATIONAL TRANSPORTATION SAFETY BOARD**

For many years, the only truly independent accident investigation board was America's National Transportation Safety Board, which was set up as early as 1967. From the start, the NTSB was responsible for investigating accidents

occurring in every transport sector: aviation, shipping, railways, roads and pipelines.

The NTSB is very much the godfather of independent investigations in general. Its independence was guaranteed from the start, since it was set up as a permanent, autonomous organisation. It was a unique decision, too, not to limit the NTSB's remit to aviation accidents only, but to make it responsible for all transport accidents. In doing so, Congress aimed to put safety firmly in the spotlight. A sector-by-sector approach would have made this far more difficult. What is more, in setting up an independent organisation, Congress wished to avoid any conflicts of interest emerging during investigations.

The American experience has left a very strong mark on further developments in this field. First, the fact that the NTSB is independent means that no one questions the impartiality of its work. What is more, its recommendations have gained greater authority.

Second, the Americans taught us that every investigation follows the same procedure, whatever the accident. As a result, Sweden and Finland have set up accident investigation boards to investigate accidents occurring in every sector, not just transport. Canada, New Zealand, the Netherlands, Australia and Indonesia, to name but a few, decided to set up multi-modal transport safety boards.

Third, a permanent, independent organisation not only guarantees the independence of investigations. It can also ensure that follow-up is given to its recommendations. And, since prevention is better than cure, it can carry out incident studies.

## **THE RECOMMENDATIONS**

Let me just say a word about the weight of the recommendations, and the importance of their follow-up!

Of course, an independent investigation can only be successful if the investigators, and thus the report they produce, are of the highest standard. Accepted procedure is for a confidential draft report – sometimes complete with recommendations - to be sent to all parties concerned for their comments. The board approves the final report. With this method, consensus can be reached on what exactly happened. But apart from an analysis of the accident, the report also contains recommendations. These recommendations are addressed directly to the parties concerned and their names are included. In the Netherlands, all these parties are 'legally obliged' to respond within a year of the report's publication. In America, only the Department of Transportation is obliged to

report back, but then within ninety days. This is also the case in Canada. Other parties respond on a voluntary basis!! Because the alternative is that the National Transportation Safety Board's place the recommendations on a Most Wanted list (with the names of the people involved).

Thanks to this procedure, the National Transportation Safety Board in America has issued 11,000 recommendations on ways of improving safety in the thirty-three years since it was established. Eighty percent of them have been followed up.

For nearly twenty years, I chaired the Dutch Road Safety Board. We were responsible for advising the government on road safety policy. Looking back, I can only conclude that it was much easier for our recommendations to disappear into a desk drawer, never to see the light of day again, than the recommendations now issued by the Transport Safety Board.

The recommendations of safety boards, issued in the wake of independent investigations and studies, have a far greater impact on safety than those issued by policy advisors. For these are seldom given eighty percent follow-up. But as I have already pointed out, everything depends on the quality of the investigators, and the wisdom with which solutions to intrinsic hazards are expressed in the recommendations.

## **POINTS FOR DISCUSSION ON INDEPENDENT INVESTIGATIONS SECTORAL BOARDS OR A SINGLE MULTI-MODAL BOARD?**

Another sensitive issue that often gives rise to debate is the question of whether independent investigations should be organised sector by sector, or on a multi-modal basis. Are we talking about an Aviation Safety Board, a Railroad Accident Investigation Board or a multi-modal Transport Safety Board?

Experience shows that, at the start, the various transport sectors are extremely reluctant to work together in a multi-modal board. "What," they ask "has aviation to do with shipping, or shipping with railways?". Etc.

Most multi-modal safety boards have been set up under pressure from parliament – usually through motions submitted by individual members.

As chairman of ITSA, I would never advise countries to set up individual boards.

- You need to train investigators.
- Investigations always follow the same procedure, whatever the accident.
- Recommendations have to be given follow-up.
- Accident inquiry boards are always at risk of falling victim to cost-cutting, because, fortunately, there are so few accidents.
- The trend is now towards an integrated approach to safety.

Practice has shown that separate boards are too poorly equipped to do their job properly. Investigators might find they are not taken seriously by their counterparts from major multinational organisations, for instance. “What do you know about our planes or trains?” they may well ask the board investigator.

The key to high-quality investigations is to join forces, to work together, both nationally and internationally. And there is not one multi-modal transport safety board that would want to split up into five separate boards. The international trend is now to set up multi-modal boards.

## **SHOULD INDEPENDENT INVESTIGATIONS TAKE PLACE IN ALL SECTORS?**

Thanks to the regulations in the aviation sector, and the launch of the NTSB in America, they have become most deeply rooted in the transport sectors. And it is in these sectors that the most serious accidents and incidents occur. But independent investigations should not be confined to the transport world. In the aftermath of the appalling firework disaster in Enschede, the Netherlands recently decided to introduce independent investigations in all sectors. The only issue now under discussion is how they should be organised. Should we opt for a single board, or for a number of boards? If we go for the latter option, separate boards will be established for defence and transport, and a third board will cover the other sectors – industry, environment, health care and so on.

## **NATIONAL BOARDS OR A SINGLE EUROPEAN BOARD?**

This brings me to my final point. Should Europe be aiming for national boards, or a single European board? I believe our first aim should be to set up national boards, with a European umbrella organisation in which they work closely together. I feel an umbrella organisation is essential, to provide a European view of the various recommendations the boards issue, and to identify where the European Commission needs to take action. At a later stage we could possibly merge into a single European Safety Board, comparable with the National Transportation Safety Board.

## **PROPOSITIONS**

To sum up, I would like to make the following comments.

1. Independent investigations into the causes of disasters, accidents and incidents are invaluable to society in general and in ensuring safety. They are the only way to show society exactly what happened. They can put an end to any public concern in the wake of an accident.

They can help the victims and their families to come to terms with what has happened to them.

They can teach us lessons for the future, and prevent the same thing happening again.

And they are an important aid in safeguarding democracy, since they make our actions transparent.

2. Evidence shows that, in many cases, investigations into the party or parties to blame for a disaster or serious accident are not the right instrument to discover exactly what went wrong. These investigations tend to look into the direct causes and not the underlying causes. What is more, suspects are not obliged to make statements that might incriminate them.
3. At international level, independent investigations have only been declared applicable to aircraft accidents. Under the provisions of the ICAO Convention and EU Directive 94/56, people can claim the right to independent investigations in the aviation sector.
4. There is no logic in restricting independent investigations to this sector.
5. Independent investigations should be anchored in law, so that they can be kept strictly separate from investigations into the party or parties to blame. Whenever a serious accident, disaster or incident occurs, two separate investigations will have to be carried out, one into the causes, the other into the party or parties to blame.
6. Society – Members of Parliament and Ministers, victims and their families, the media, and the general public – should actively lobby for the introduction of independent inquiries in their countries.
7. The European Commission should start by declaring EU Directive 94/56 applicable to all transport sectors. At a later date, independent investigations can be introduced in sectors such as defence, industry, health care, the environment and so on.
8. The public has a right to a society in which truly independent investigations can and will be carried out.

I sincerely hope that the European Commission and the European Parliament will do all in their power to promote independent investigations in the European Union.

Thank you.

## **PIETER VAN VOLLENHOVEN**

Pieter van Vollenhoven was born in Schiedam, the Netherlands, on 30 April 1939. He attended the Montessori Lyceum in Rotterdam and graduated in law from Leiden University in 1965.

Mr van Vollenhoven married Her Royal Highness Princess Margriet of the Netherlands in The Hague on 10 January 1967. He occupies posts in numerous national and international organisations concerned with safety, victim support and nature conservation.

At university one of his special subjects was the organisation of the Dutch police force. During his national service he was first involved in investigating aircraft accidents and then he went on to train as a pilot with the Royal Netherlands Air Force. He is Aide-de-Camp extraordinary to Her Majesty the Queen. Mr van Vollenhoven was chairman of the Road Safety Council and the Railway Accident Board, and in 1999 he was appointed chairman of the Dutch Transport Safety Board. The Board is in charge of all independent investigations into the causes of accidents and incidents in the Transport Sectors (Aviation, Shipping, Rail, Road and Pipelines). In 1993 he established the European Transport Safety Council in collaboration with the British PACTS and the German DVR. This Council, of which Mr van Vollenhoven is a founding board member, is now the European Community's main advisory body on transport safety issues.

In 1993, Mr van Vollenhoven established the International Transport Safety Association together with the American NTSB, the Canadian CTSB and the Swedish SHK. The association combines all multimodal and a number of sectoral (Transportation) Safety Boards. All of them are in charge of independent investigations. Mr van Vollenhoven has been its Chairman since its inception.

Pieter van Vollenhoven is also Chairman of:

- the Dutch Foundation for Society, Safety and Police. The Foundation aims to provide an independent contribution to the discussions about and the development of security care in the widest sense;
- the National Green Fund, which finances nature conservation projects, particularly the establishment of the national ecological network;
- the National Restoration Fund, which is responsible for financing the maintenance of Dutch monuments and historic buildings;
- the Victim Support Fund, which assists victims of crime and traffic accidents, and is the largest source of private funding for victim support in the Netherlands. Mr Van Vollenhoven gives about 20 concerts a year, both in the Netherlands and abroad, to raise funds for this particular cause.