



2017

ANNUAL REPORT

Transport
Accident and
Incident
Investigation Division



ANNUAL REPORT 2017

No. (8.4.5)1A-28(MA-17)

13 April 2018

CONTENTS

FOREWORD	1
SAFETY INVESTIGATION.....	3
1.1. Safety investigation.....	3
1.2. Stages of safety investigation	3
1.3. Safety vs. judicial or administrative investigation.....	7
1.4. Sensitive safety information	7
2. SAFETY INVESTIGATION AUTHORITY	9
2.1. Safety investigation authority	9
2.2. Safety investigation authority resources	9
2.3. Cooperation between safety investigation authorities	10
2.4. Assistance to the victims of accidents and their relatives.....	11
2.5. Safety investigation authority of the Republic of Lithuania	11
2.5.1. Structure	11
2.5.2. Activity and cooperation	12
2.5.3. Training and qualification	13
3. AIRCRAFT ACCIDENTS AND INCIDENTS	15
3.1. Legal acts.....	15
3.2. Definitions	15
3.3. Obligation to investigate	16
3.4. Notification system.....	17

3.5. Accidents and serious incidents	17
3.6. Open safety investigation.....	19
3.7. Safety recommendations	21
4. MARINE ACCIDENTS AND INCIDENTS	23
4.1. Legal acts	23
4.2. Definitions	23
4.3. Obligation to investigate	24
4.4. Notification system.....	24
4.5. Accidents and incidents	25
4.6. Open safety investigation.....	27
5. SERIOUS ACCIDENTS, ACCIDENTS AND INCIDENTS IN RAIL TRANSPORT.....	29
5.1. Legal acts	29
5.2. Definitions	29
5.3. Obligation to investigate	30
5.4. Notification system.....	30
5.5. Serious accidents, accidents and incidents	31
5.6. Open safety investigation.....	32
5.7. Prepared reports and safety recommendations	32

FOREWORD

The safety investigation authority carries out aircraft, marine and railway transport accident and incident safety investigations the purpose of which is to prevent the occurrence of accidents and incidents in the future. Safety investigations shall in no case be concerned with apportioning blame or liability.

The safety investigation authority is an independent and permanently operational authority. The safety investigation authority shall, in the conduct of the safety investigation, neither seek nor take instructions from anybody and shall have unrestricted authority over the conduct of the safety investigations.

In order to inform the public of the general safety level, the safety investigation authority annually publishes a safety review – the annual report. In this analysis, the sources of confidential information are not revealed.

1

SAFETY INVESTIGATION

1.1. Safety investigation

Safety investigation means a process conducted by a safety investigation authority for the purpose of accident and incident prevention which includes the gathering and analysis of information, the drawing of conclusions, including the determination of cause(s) and/or contributing factors and, when appropriate, the making of safety recommendations.

The safety investigations shall be independent of, separate from and without prejudice to any judicial or administrative proceedings to apportion blame or liability.

1.2. Stages of safety investigation

Notification of an accident or an incident

The first stage of a safety investigation is a receipt of a notification about an accident or an incident. Any person involved who has knowledge of the occurrence of an accident or incident shall notify without delay the competent safety investigation authority of the State of Occurrence that is accessible 24 hours per day and 7 days per week. Having received a notification about an accident or an incident the safety investigation authority shall classify the accident or the incident having regard to the injuries of people, and the damage incurred to the vehicle, and pass a decision regarding the launching of a safety investigation.

The safety investigation authority shall notify without delay the relevant international organisations, the European Commission, authorities of the European Union, Member States of the European Union and third countries concerned in accordance with the international standards and recommended practices of the occurrence of all accidents and serious incidents of which it has been notified. Having received a notification about an accident or an incident, Member States or third parties shall have a right to appoint accredited representatives.

Investigation on the occurrence site

An accident or an incident investigation continues at the site of the occurrence until all the required evidence from the site of the occurrence is collected, all the relevant persons are inquired, and the required information and the entries from related authorities. However, not all investigations of accidents and incidents have this stage, as a safety investigation of less serious incidents may be carried out by means of correspondence.

In an event of an accident or an incident the priority in all cases is given to the search and rescue services whose duty is to help the injured persons, however, the safety investigation authority has a right to participate in the search and rescue operations, in order to preserve, by photographic or other means, any evidence which might be removed, effaced, lost or destroyed. Safe custody shall include protection against further damage, access by unauthorised persons, pilfering and deterioration. Pending the arrival of safety investigators, no person shall modify the state of the site of the accident, take any samples therefrom, undertake any movement of or sampling from the vehicle, its contents or its wreckage, move or remove it, except where such action may be required for safety reasons or to bring assistance to injured persons, or under the express permission of the authorities in control of the site and, when possible, in consultation with the safety investigation authority.

Some evidence is short-lived (ice, liquid leakage, data entries, etc.), therefore they have to be recorded without any delay. However, the collection of evidence may in some cases take longer due to the threats at the site (flammable, explosive, toxic and radioactive materials, hazardous freight, sharp, heavy and hazardous object, etc.).

The safety investigation authority seeks to carry out a safety investigation at the site of an accident or incident, in order to restore the infrastructure, and not to interfere with the provision of services by the service providers. The safety investigation authority shall collect and move the vehicle and/or its wreckage from the occurrence site if that is necessary for the performance of the further expertise.

Obtaining the factual information

Once the investigation starts, the authority starts collecting all the evidence and any factual information. Collection of evidence includes inquiries of the witnesses of an accident or incident, autopsy examination of the bodies of the fatally injured person, medical examination of the heavily injured persons, obtaining the necessary information from the owner of the vehicle, its operator, designer, manufacturer, technical maintenance organisation, training organisation, traffic control authority, etc.

Subject to the course of the safety investigation, the collection of evidence and factual information may continue even after the investigation at the occurrence site is completed, require more time and include a more thorough examination of the wreckage, additional inquiry of the witnesses, consultation with the experts, etc.

Analysis

An analysis starts after the safety investigation has performed all actions at an accident or incident site, and has collected all the evidence and the factual information.

An analysis includes an expert examination of the vehicle, its wreckage and other evidence, testing of components and laboratory examination, decrypting of self-recording devices and their records, analysis of any relevant documents, results of the autopsies of the bodies of the fatally injured persons, and of medical examination of heavily injured persons, additional inquiries of witnesses, etc. The scope of the analysis shall be established only in the course of the safety investigation, when more information is obtained by virtue of the investigation.

In other words, the course of the occurrence is restored in the course of the analysis on the basis of the collected evidence. The safety investigation seeks to find out how and why an accident or incident had occurred.

A draft report is formed in the course of the analysis. In case an information gap cannot be filled in by facts, and instead the gap is filled by logical extrapolation and reasonable assumptions, those shall be explicitly indicated in the report. In the course of the process it may be useful to establish all probabilities, and reduce them, by way of analysis, to the most probable hypotheses. Safety findings are established having regard to the results of the analysis, if necessary, followed by specific recommendations for removing them. Just like in the cases of every safety investigation, the information on the safety investigation course shall be made public.

Consultation

Before publication of the final report, the safety investigation authority shall solicit comments from the authorities concerned, who shall be bound by applicable rules of professional secrecy with regard to the contents of the consultation. In soliciting such comments, the safety investigation authority shall follow the international standards and recommended practices.

Submission of the investigation report

Each safety investigation shall be concluded with a report in a form appropriate to the type and seriousness of the accident or serious incident. The report shall protect the anonymity of any individual involved in the accident or serious incident, and shall state that the sole objective of the safety investigation is the prevention of future accidents and incidents without apportioning blame or liability. The safety investigation report is based only on the facts established in the course of the safety investigation. The report shall contain, where appropriate, safety recommendations.

The safety investigation authority shall make public the final report in the shortest possible time and if possible within 12 months of the date of the accident or incident. If the final report cannot be made public within 12 months, the safety investigation authority shall release an interim statement at least at each anniversary of the accident or serious incident, detailing the progress of the investigation and any safety issues raised.

Safety recommendations

Safety recommendation means a proposal of a safety investigation authority, based on information derived from a safety investigation or other sources such as safety studies, made with the intention of preventing accidents and incidents. A safety investigation authority may also issue safety recommendations on the basis of studies or analysis of a series of investigations or having collected and analysed any other information related to transport safety.

At any stage of the safety investigation, the safety investigation authority shall recommend in a dated transmittal letter, after appropriate consultation with relevant parties, to the authorities concerned, including those in other Member States or third countries, any preventive action that it considers necessary to be taken promptly to enhance transportation safety.

A safety recommendation shall in no case create a presumption of blame or liability for an accident, serious incident or incident.

1.3. Safety vs. judicial or administrative investigation

In a case of an accident or incident, other investigations may be initiated in addition to the safety investigation. Most often, where in the course of an accident or incident any fatal injuries have been incurred, judicial proceeding is initiated with a view to establishing liability or indemnifying the damage incurred as a result.

The safety investigation shall be independent of, separate from and without prejudice to any judicial or administrative proceedings to apportion blame or liability. Any judicial or administrative proceedings shall be completely separated from the safety investigation. The investigation report, and in particular its analysis, conclusions and safety recommendations cannot be used as evidence in a judicial or administrative process seeking to apportion blame or liability, because that was not established in the course of the safety investigation, and it is not compatible with the objective of the safety objective. It should also be noted that a safety investigation authority is not authorised to provide an expert opinion or any judicial or administrative process related to the transport safety. In this view, the authority's carrying out investigations independent from the safety investigation shall themselves take the required decisions, and shall conduct and complete the investigations without considering the course of the safety investigation.

However, there is only one evidence, therefore the safety investigation, and the pre-trial investigation shall refer to the same evidence. In that case investigation coordination becomes of extreme importance. All authority's that are likely to be involved in the activities related to the safety investigation, cooperate with each other through advance arrangements. Those arrangements shall respect the independence of the safety investigation authority, and the information collected by the safety investigation authority shall not be published or used for any purposes other than the safety investigation. When a judicial investigation is also instituted, the safety investigation authority shall be notified thereof. Where the judicial authority is entitled to seize any evidence, the safety investigation authority shall have immediate and unlimited access to and use of such evidence.

Where, in the course of the safety investigation, it becomes known or it is suspected that an act of unlawful interference as provided for under national law, such as national law on accident investigations, was involved in the accident or serious incident, the safety investigation authority shall immediately inform the competent authorities thereof.

1.4. Sensitive safety information

Any information collected by the safety investigation authority in the course of the safety investigation (all statements taken from persons; the identity of persons who have given evidence; information of particularly sensitive and personal nature;

information concerning the health of the individuals; notes, drafts, opinions written by the investigators; opinions expressed in the analysis of information; drafts of preliminary or final reports or interim statements; cockpit voice and image recordings and their transcripts) shall not be made available or used for purposes other than safety investigation.

2

SAFETY INVESTIGATION AUTHORITY

2.1. Safety investigation authority

Each Member State shall ensure that safety investigations are conducted or supervised, without external interference, by a permanent national safety investigation authority capable of independently conducting a full safety investigation, either on its own or through agreements with other safety investigation authorities.

The activities entrusted to the safety investigation authority may be extended to the gathering and analysis of safety related information, in particular for accident prevention purposes, in so far as these activities do not affect its independence and entail no responsibility in regulatory, administrative or standards matters.

The safety investigation authority shall be functionally independent in particular of authorities responsible for worthiness, certification, maintenance, licensing, traffic control and, in general, of any other party or entity the interests or missions of which could conflict with the task entrusted to the safety investigation authority or influence its objectivity.

The safety investigation authority shall, in the conduct of the safety investigation, neither seek nor take instructions from anybody and shall have unrestricted authority over the conduct of the safety investigations.

2.2. Safety investigation authority resources

Each safety investigation authority shall have a plan ensuring that having received a notification about an occurrence, or while preparing for a safety investigation, no

time is wasted for irrelevant or unnecessary information, and the proper measures have been taken to prepare for the investigation, and all the necessary knowledge has been obtained. Such preparatory plan shall ensure, having received a notification about an accidents or incident, a quickest possible access to the resources and the procedures as needed, including a sufficient number of required qualification investigators, and the required coordination both at the national and international levels, so that all primary actions are performed immediately.

Each Member State shall provide to the safety investigation authority all the required means and facilities, so that the authority is enabled to obtain sufficient resources to independently their obligations. Therefore, the safety investigation authority shall be allocated sufficient to enable it to carry out its functions. The safety investigation authority shall have at its disposal, either directly or by means of the cooperation, or through arrangements with other national authorities or entities, qualified personnel and adequate facilities, including offices and hangars to enable the storage and examination of the vehicle, its contents and its wreckage. All the investigators concerned shall have the experience and competence to fulfil their tasks. Given that the safety investigation authority is a permanently operating authority, in the case of a multimodal authority no less than two investigators shall be appointed for each type of transportation. This would ensure that in case a major accident occurs at least one investigator is on duty and able to lead the investigation.

2.3. Cooperation between safety investigation authorities

Upon receipt of the notification of the occurrence of an accident or incident from another Member State or third country, the Member States which are the State of Registry, the State of the Operator, the State of Design and the State of Manufacture shall, as soon as possible, inform the Member State or third country in the territory of which the accident or serious incident occurred whether they intend to appoint an accredited representative in accordance with the international standards and recommended practices. Such an accredited representative must be an employee of the safety investigation authority.

A safety investigation authority may request the assistance of safety investigation authorities from other Member States. When, following a request, a safety investigation authority agrees to provide assistance, such assistance shall, as far as possible, be provided free of charge. A safety investigation authority may delegate the task of conducting an investigation into an accident or incident to another safety investigation authority subject to mutual agreement. In that case, the safety investigation authority shall facilitate the investigation process by that other authority.

2.4. Assistance to the victims of accidents and their relatives

The safety investigation authority shall only perform investigations of accidents and incidents, therefore it does not provide any assistance to victims of the accidents or their relatives. When an accident occurs, the Member State in charge of the investigation, the Member State in which the vehicle is registered, the Member state which vehicle was involved in the accident, or the Member State which had a large number of its nationals on board the vehicle involved in the accident, shall provide for the appointment of a reference person as a point of contact and information for the victims and their relatives.

Victims of the accidents and their relatives very often provide useful information to the safety investigation authority, they are, however, not participants of the safety investigation. The safety investigation authority shall be allowed to inform the victims and their relatives, or their associations, and make public any monitoring information, the information about the progress of the safety investigation, possibly preliminary reports or conclusions, and/or safety recommendations, possibly preliminary reports or conclusions and/or safety recommendations, provided it does not compromise the objectives of the safety investigation and fully complies with applicable legislation on the protection of personal data. Before making such information public the safety investigation authority in charge shall forward that information to the victims and their relatives or their associations in a way which does not compromise the objectives of the safety investigation.

2.5. Safety investigation authority of the Republic of Lithuania

2.5.1. Structure

The safety investigation authority of the Republic of Lithuania is the Transport Accident and Incident Investigation Division of the Ministry of Justice of the Republic of Lithuania. The Transport Accident and Incident Investigation Division is an authority carrying out safety investigations of multimodal transport, i.e. safety investigations of accidents and incidents of aircrafts, marine vessels and railway transport.

The Transport Accident and Incident Investigation Division under the Ministry of Justice of the Republic of Lithuania was established on 1 December 2010, having merged the two independent positions of the investigator-in-charge of the aircraft accidents and incidents and the investigator-in-charge of the railway transport accidents and incidents. The Transport Accident and Incident Investigation Division started its actual activity as on 1 February 2011, after the positions of the Head of the Division (investigator-in-charge of the aircraft accidents and incidents) and of the Chief specialist (the investigator-in-charge of the railway transport accidents

and incidents) were established. On 16 September 2011 the position of the Senior specialist (the investigator-in-charge of the maritime accidents and incidents) was established.

As of 1 January 2016, the Transport Accidents and Incidents Investigation Division was transferred from the Ministry of Transport and Communications of the Republic of Lithuania to the Ministry of Justice of the Republic of Lithuania. During then there was three positions - head of the Division (investigator-in-charge of the aircraft accidents and incidents), chief specialist (the investigator-in-charge of the railway transport accidents and incidents) and senior specialist (the investigator-in-charge of the maritime accidents and incidents).

In 12 September 2017 the Ministry of Justice withdrawn positions from other departments and added three positions to the Transport Accident and Incident Investigation Division. Currently there are six positions in Transport Accident and Incident Investigation Division (Fig. 1).

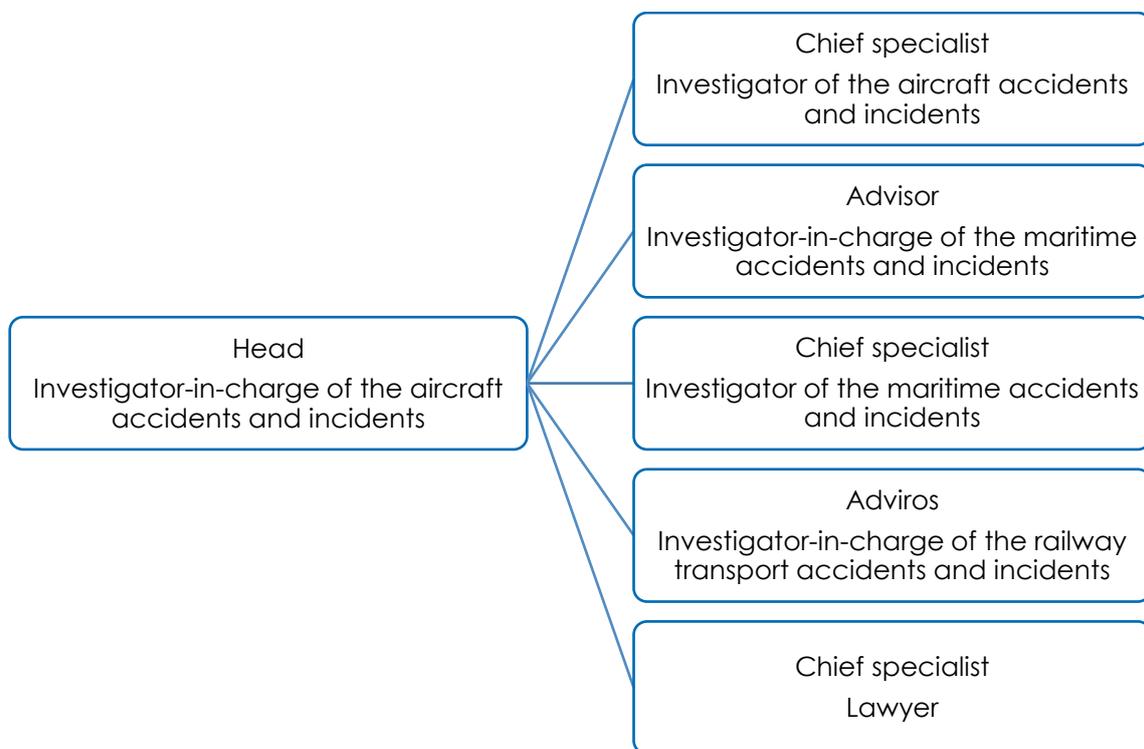


Fig. 1. Structure of Transport Accidents and Incidents Division

2.5.2. Activity and cooperation

Having received a notification about an accident or incident Member States or third parties shall have a right to appoint their accredited representatives, therefore most safety investigations concerned are of international nature, and especially, the safety investigations of accidents and incidents of aircrafts and maritime.

The Transport Accidents and Incidents Investigation Division cooperates with

international organisations and authorities. During 2017, the Transport Accidents and Incidents Investigation Division continued participating in the activities of the European Marine Safety Agency (EMSA), European Union Agency for Railways (ERA) and European Network of Civil Aviation Safety Investigation Authorities (ENCASIA) - the training events, and annual meetings.

During 2016, actions were taken to establish the compliance of the Republic of Lithuania with the relevant international obligations, and assess its abilities to carry out safety investigations of aircraft, maritime and railway transport.

During 2015–2016, the European Union Agency for Railways (ERA) was carrying out in Lithuania a railway transportation traffic safety level improvement programme. In result, in 2017 ERA presented to European Commission its technical advice where are identified weaknesses in Lithuanian railway transport sector, given conclusions and recommendations future actions. European Commission, after evaluating ERA's technical advice, asked Ministry of Transport and Communications to prepare the action plan to solve identified problems by ERA and submit it to European Commission in two months. Transport Accidents and Incidents Division evaluated in competence the remarks, and has submitted the action plan.

2.5.3. Training and qualification

All the investigators of the safety investigation authority are required to have the experience and competence, and professional knowledge in the areas related to the investigations to fulfil their tasks. In the light of the above, introductory, basic and qualification development training on safety investigation are required. Regrettably it needs to be said that the supply of such training is overly limited, the training events offered are rather costly, therefore the members of the Division attend such training subject to its financial capabilities.

During 2017, the Transport Accident and Incident Investigation Division attended only in partially finance and free training and qualification enhancement courses (workshops) held by the ERA, EMSA and ENCASIA. Participated in Applied Rail Accident Investigation – Workshop 4 – Rail Accident Investigation Simulation, in Cranfield University, United Kingdom, which was partially financed by ERA. Also it was participated in Mutual Support System Training in Prague, Czech Republic, organized by ENSACIA and financed by European Commission.

Also in 2017 Division applied for a grant with application “Good practice exchange between Safety Investigation Authorities” according to Nordic-Baltic Mobility Programme for Public Administration project No PA-GRO-1067. After winning 60 % grant for the project, Division visited Accident Investigation Board Norway in 11-13 September 2017, Swedish Accident Investigation Authority in 2-4 October 2017 and Safety Investigation Authority in Finland in 4-6 October 2017.

3

AIRCRAFT ACCIDENTS AND INCIDENTS

3.1. Legal acts

Aircraft accident and incident investigations are carried out in accordance with Annex 13 of the Convention of the International Civil Aviation Organisation, Regulation (EU) No 996/2010 of the European Parliament and of the Council of 20 October on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC (hereinafter – Regulation No 996/2010), as well as Order No. 1R-388 of 31 December 2015 of the Minister of Justice of the Republic of Lithuania 'On the approval of the Description for the procedure of investigation of civil aircraft and incidents'.

3.2. Definitions

Accident means an occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time it comes to rest at the end of the flight and the primary propulsion system is shut down, in which:

a) a person is fatally or seriously injured as a result of being in the aircraft; or, direct contact with any part of the aircraft, including parts which have become detached from the aircraft; or, direct exposure to jet blast; except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or

b) the aircraft sustains damage or structural failure which adversely affects the structural strength, performance or flight characteristics of the aircraft, and would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin (such as small dents or puncture holes) or minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike, (including holes in the radome); or

c) the aircraft is missing or is completely inaccessible.

Serious incident means an incident involving circumstances indicating that there was a high probability of an accident and is associated with the operation of an aircraft. In the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time it comes to rest at the end of the flight and the primary propulsion system is shut down.

Incident means an occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation.

3.3. Obligation to investigate

Every accident or serious incident involving aircraft other than specified in Annex II to Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency shall be the subject of a safety investigation in the Member State in the territory of which the accident or serious incident occurred.

When an aircraft registered in a Member State is involved in an accident or serious incident the location of which cannot be definitely established as being in the territory of any State, a safety investigation shall be conducted by the safety investigation authority of the Member State of registration.

The extent of such safety investigations and the procedure to be followed in conducting such safety investigations, including for those aircraft with a maximum take-off mass less than or equal to 2 250 kg, shall be determined by the safety investigation authority, taking into account the lessons it expects to draw from such investigations for the improvement of aviation safety. Safety investigation authorities may decide to investigate incidents, as well as accidents or serious incidents to other types of aircraft, in accordance with the national legislation of the Member States, when they expect to draw safety lessons from them.

3.4. Notification system

Any person involved who has knowledge of the occurrence of an accident or serious incident shall notify without delay the competent safety investigation authority of the State of Occurrence thereof.

The safety investigation authority shall notify without delay the Commission, EASA, the International Civil Aviation Organisation (ICAO), the Member States and third countries concerned in accordance with the international standards and recommended practices of the occurrence of all accidents and serious incidents of which it has been notified.

In Lithuania, the notifications of accidents or serious incidents are communicated at once to two authorities – the safety investigation authority and the Civil Aviation Administration. The notifications about incidents are submitted to the Civil Aviation Administration. In the event the Civil Aviation Administration considers that the incident may be more serious than indicated in the notification, the notification is immediately forwarded to the safety investigation authority for a further assessment, and the final classification.

3.5. Accidents and serious incidents

In 2016, total 5 notifications were received about the aircraft accidents in Lithuania. Figure 2 shows the number of accidents and incidents in Lithuania in 2010–2017.

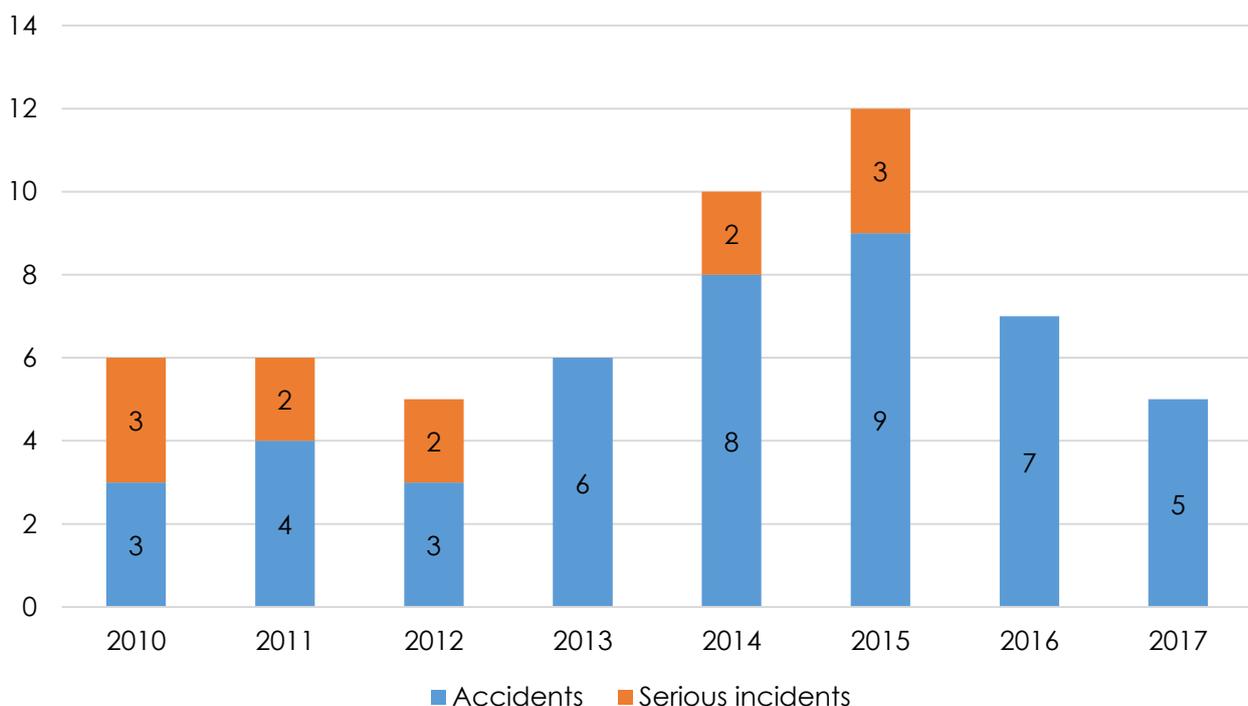


Fig. 1. Received notifications about aircraft accidents and serious incidents

All the aircraft that suffered accidents in Lithuania during 2017 were general aviation aircrafts. The data on the aircrafts that suffered accidents and the persons injured as a result are provided in Figure 3. Following the provisions of Article 5 of Regulation No 996/2010 four aircraft accident safety investigations have been performed.

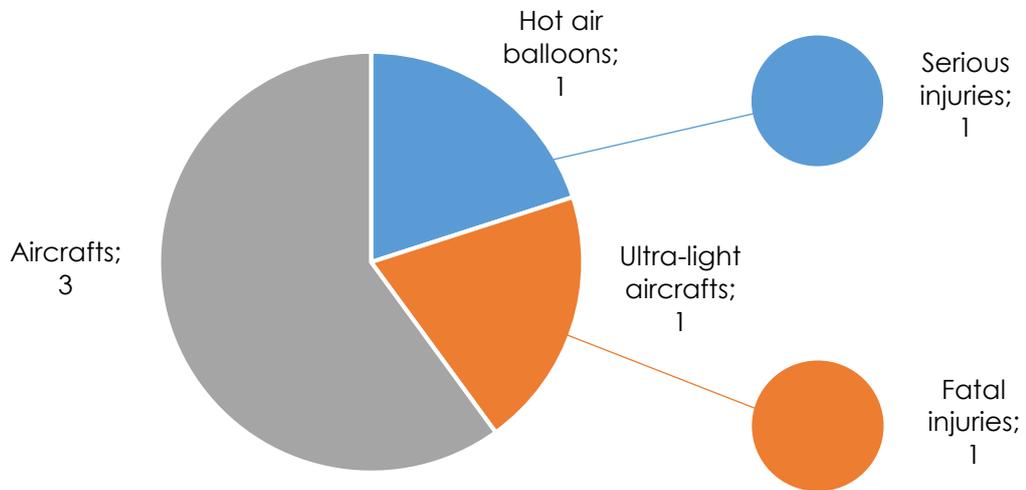


Fig. 3. Aircrafts that suffered accidents in 2017, and the persons injured as a result.

Figure 4 shows the number of accidents with injuries in Lithuania in 2011–2017.

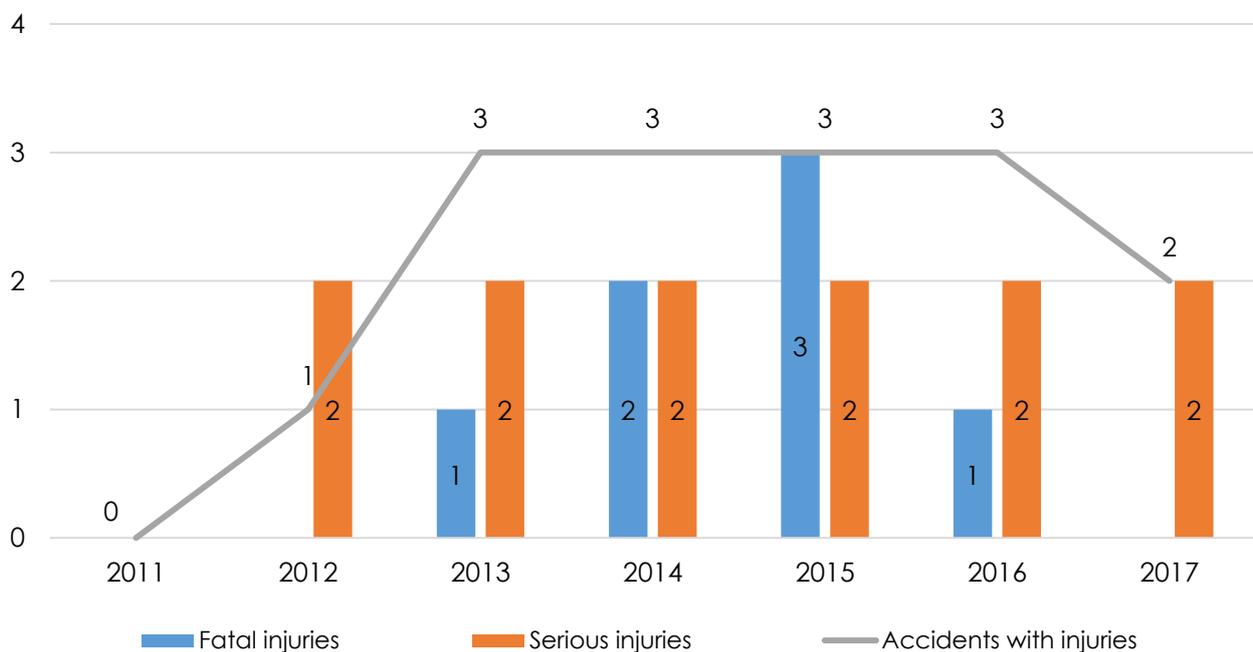


Fig. 4. The accidents with injuries in Lithuania

The notifications received in 2016-2017 on accidents and serious incidents of aircrafts registered in the civil aircraft register of the Republic of Lithuania and designed and manufactured in Lithuania which occurred outside Lithuania are presented in Figure 5. Lithuania, as a State of Registry, the State of Design and the State of Manufacture appointed its accredited representative with respect to those safety investigations.

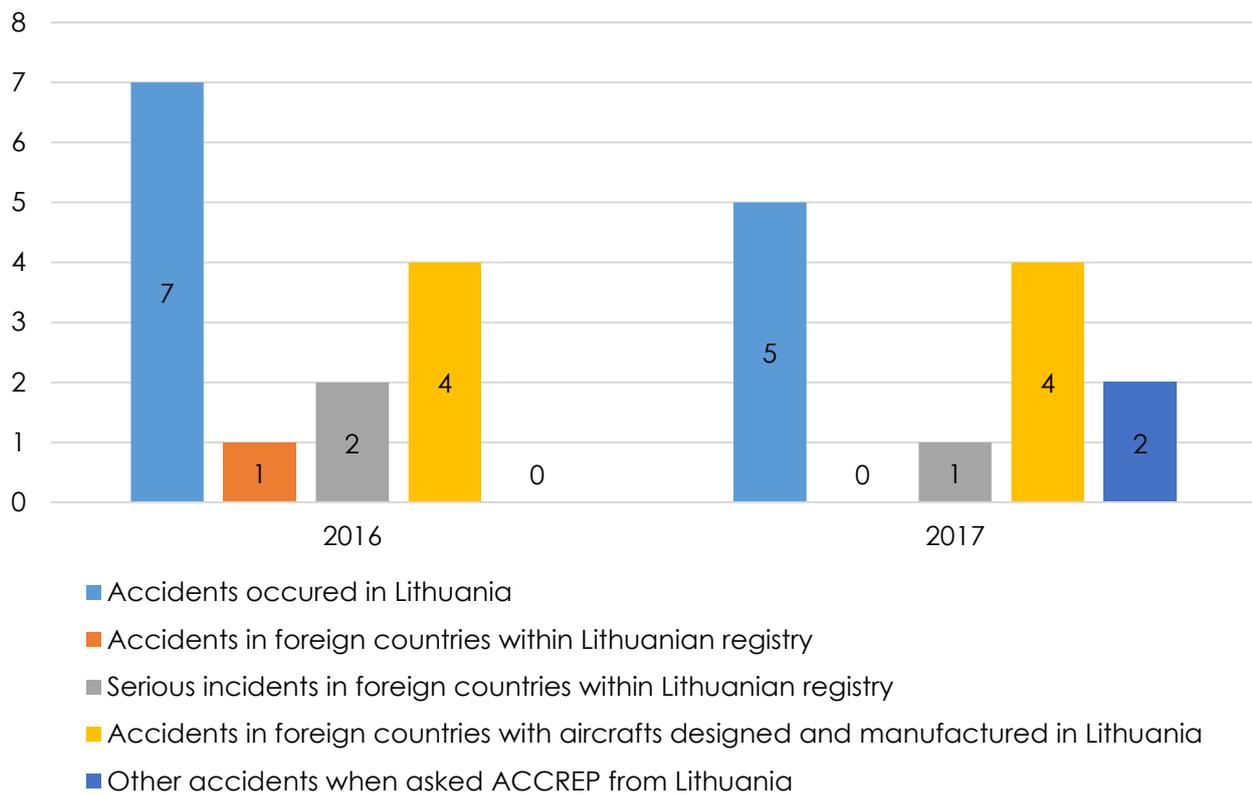


Fig. 5. Aircraft accidents in 2016-2017

3.6. Open safety investigation

Figure 6 and Table 1 provide the data on the open safety investigations carried out since 2012.

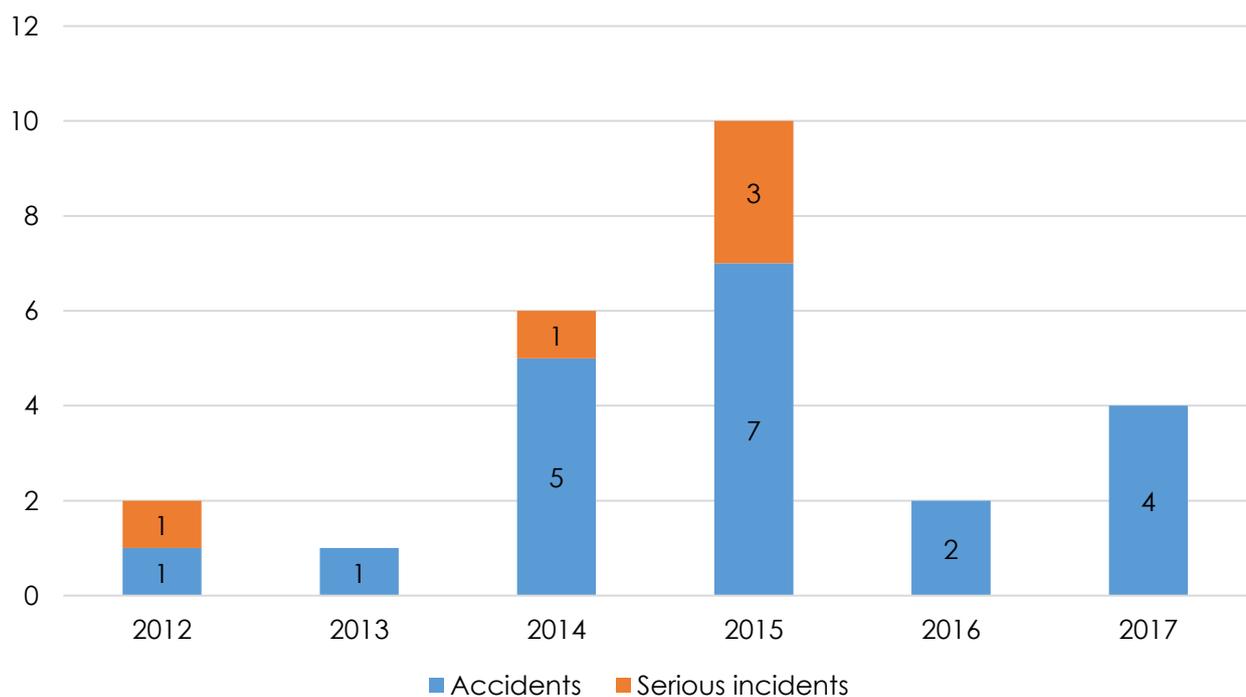


Fig. 6. Open aircraft accidents and serious incidents safety investigations

Table 1. Open aircraft accidents and serious incidents safety investigations

Date:	Aircraft	Reg. No.	Accident or aircraft landing location
14-08-2017	Aircraft Tecnam P2002JF	LY-BAQ	S.Darius and S.Girėnas aerodrome
25-07-2017	Aircraft Tecnam P2006JF	EC-MLJ	S.Darius and S.Girėnas aerodrome
08-07-2017	Hot air balloon Cameron Ballons Z-1315	LY-ORE	MAtiškė, Trakai region, Vilnius county
27-06-2017	Aircraft PZL 104 Wilga 35A	LY-AGB	Paluknys aerodrome
06-08-2016	Hot air balloon BB45	LY-DNB	Grigaičiai, Šatrininkai neighbourhood, Vilnius region municipality
13-03-2016	Aircraft Tecnam P2006T	LY-CPL	S.Darius and S.Girėnas aerodrome
09-11-2015	Helicopter Cabri G2	LY-CJB	International Kaunas airport
18-07-2015	Aircraft Hawker 800 XP	LY-LTC	Vilnius International airport
23-06-2015	Aircraft Tecnam P2002JF	LY-FTO	S.Darius and S.Girėnas aerodrome
23-06-2015	Aircraft Cessna F 172 H	LY-LAD	Vilnius International airport
22-06-2015	Aircraft Tecnam P2002JF	LY-BAQ	S.Darius and S.Girėnas aerodrome
20-06-2015	Aircraft Tecnam P2006T	LY-MEP	S.Darius and S.Girėnas aerodrome
22-05-2015	Aircraft Cessna-150 M	LY-AGV	Biržai aerodrome
16-05-2015	Experimental-historical aircraft An-2	LY-AET	Baltic Sea
27-04-2015	Helicopter Bell 407, and Aircraft Cessna 172	LY-ERA LY-BAK	S.Darius and S.Girėnas aerodrome
25-03-2015	Aircraft Tecnam P2002JF	LY-BAQ	Kaunas aviation plant aerodrome
29-08-2014	Aircraft PZL 104 Wilga 35A	LY-AJL	Akmenė aerodrome
23-08-2014	Aircraft Piper PA-34-220T	LY-LMN	Kyviškės aerodrome
07-07-2014	Sailplane Jantar 2B	LY-GCR	Pociūnai aerodrome
08-06-2014	Sailplane Blanik L-13	LY-GII	Karklėnai village, Plungė region
30-05-2014	Boeing 737 Bombardier CRJ200		U sector of the regional flight operation centre
19-04-2014	Ultralight aircraft VL-3	LY-VLA	Madžiūnai forest, Paluknis neighbourhood, Trakai region, Vilnius county
16-08-2013	Aircraft PZL 104 Wilga 35A	LY-AKS	Biržai aerodrome
23-07-2012	Aircraft Cessna 150	LY-CVT	S.Darius and S.Girėnas aerodrome
14-06-2012	Sailplane Bocian	LY-BOC	Paluknys aerodrome

3.7. Safety recommendations

The safety investigation authorities register all the submitted safety recommendations and the related replies in the central repository, created according to Commission Regulation (EC) No 1321/2007 of 12 November 2007 laying down implementing rules for the integration into a central repository of information on civil aviation occurrences exchanged in accordance with Directive 2003/42/EC of the European Parliament and of the Council. The central repository also records all the safety recommendations received from third parties.

The name of the central repository is the Safety Recommendations Information System (SRIS). It should be noted that Lithuania had never had access to the central repository, therefore being among the 31 European States that have a right to submit safety recommendations, Lithuania has never submitted as single safety recommendation. Lithuania got connected to the Safety Recommendations Information System in 2016, and will shortly submitting safety recommendations.

4

MARINE ACCIDENTS AND INCIDENTS

4.1. Legal acts

Maritime accident and incident investigations are carried out in accordance with Directive 2009/18/EC of the European Parliament and the Council of 23 April 2009 establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Council Directive 1999/35/EC and Directive 2002/59/EC of the European Parliament and of the Council, and which was transposed to Order No. 1R-386 of 30 December 2015 of the Minister of Justice of the Republic of Lithuania 'On the approval of the description of the procedure, drawing up and submission of reports and safety recommendations for safety investigations of maritime accidents and incidents', Commission Regulation No 1286/2011 of 9 December 2011 adopting a common methodology for investigating marine casualties and incidents developed pursuant to Article 5(4) of Directive 2009/18/EC of the European Parliament and of the Council, and the Law on Maritime Safety of the Republic of Lithuania.

4.2. Definitions

Very serious casualty is a marine casualty that caused a loss of a vessel, loss or death of a person, or a serious pollution of the environment.

Serious casualty is a marine casualty during which an explosion took place on a vessel, the vessel collided with another vessel, ran aground or collided with another object, was damaged because of adverse meteorological conditions, the body of the vessel was damaged because of a collision with ice, cracks or alleged damage the body of the ship, and as a result the construction of the vessel was damaged to the extent (the underwater part of the vessel was perforated, damage or

malfunctioning of the principal engines of the vessel. significant damage to the superstructure), that the vessel lost its marine qualities so it needs to be towed or requires assistance from the shore, or the environment is heavily polluted, and assistance from the shore is required.

Less serious casualties is a marine casualty that is not classified as a very serious casualty, or a serious casualty.

Marine incident is an event causing danger to the vessel and the people on the vessel, or the marine vessel may cause danger to the environment, other vessels or people unless appropriate actions are taken.

4.3. Obligation to investigate

Each Member State shall ensure that a safety investigation is carried out by the safety investigative authority after very serious marine casualties, involving a ship flying its flag, irrespective of the location of the casualty; occurring within its territorial sea and internal waters, irrespective of the flag of the ship or ships involved in the casualty; or involving a substantial interest of the Member State, irrespective of the location of the casualty and of the flag of the ship or ships involved.

In the case of other maritime casualties or incidents, the safety investigation authority shall carry out a preliminary assessment in order to decide whether or not to undertake a safety investigation. When taking the above decision, the safety investigation authority shall take into account the seriousness of the marine casualty or incident, the type of vessel and/or cargo involved, and the potential for the findings of the safety investigation to lead to the prevention of future casualties and incidents.

4.4. Notification system

All responsible authorities and/or parties concerned shall immediately notify all the marine accidents and incidents to the safety investigation authority.

The Lithuanian Maritime Safety Administration, the Maritime Rescue Coordination Centre of the Navy Forces of the Lithuanian Armed Forces, the SE Klaipėda State Sea Port Authority, or any other persons and/or entities, having received the information about any maritime accident or incident, shall immediately, but no later than within 24 hours from the moment of the information about the event, notify the safety investigation authority thereof.

In case of a casualty or an incident of a maritime vessel flying a flag of the Republic of Lithuania beyond the limits of the search and rescue area in the Baltic sea, the shipping company or the maritime vessel captain shall without delay, but in any

case no later than within 24 hours from such accident or an incident notify the Lithuanian Maritime Safety Administration thereof, which shall without any delay, but within no later than 24 hours from the receipt of the notification, shall notify the safety investigation thereof.

In case of a very serious casualty or an incident of a maritime vessel flying a flag of the Republic of Lithuania beyond the limits of the search and rescue area in the Baltic sea, the shipping company or the maritime vessel captain shall without delay, but in any case no later than within 1 hour from the receipt of initial information about such casualty notify the Lithuanian Maritime Safety Administration thereof, which shall without any delay, but within no later than 1 hour from the receipt of the notification, shall notify the safety investigation thereof.

In case of a maritime casualty or an incident in the search and rescue area of the Baltic Sea assigned to the Republic of Lithuania, the Klaipėda State Sea Port, Šventoji State Sea Port, Būtingė oil terminal waters or accesses thereto, the captain shall immediately, and no later than within 1 hour notify the safety investigation authority thereof.

The safety investigation authority shall notify the European Commission of all marine accidents and incidents. The safety investigation authority shall submit to the European Commission the data obtained in the course of safety investigations using the European Marine Casualty Information Platform (EMCIP).

4.5. Accidents and incidents

In 2017, total 10 notifications (Fig. 7) involving 10 seagoing ships (Fig. 8) has been received. They are classified by individual categories (Fig. 9).

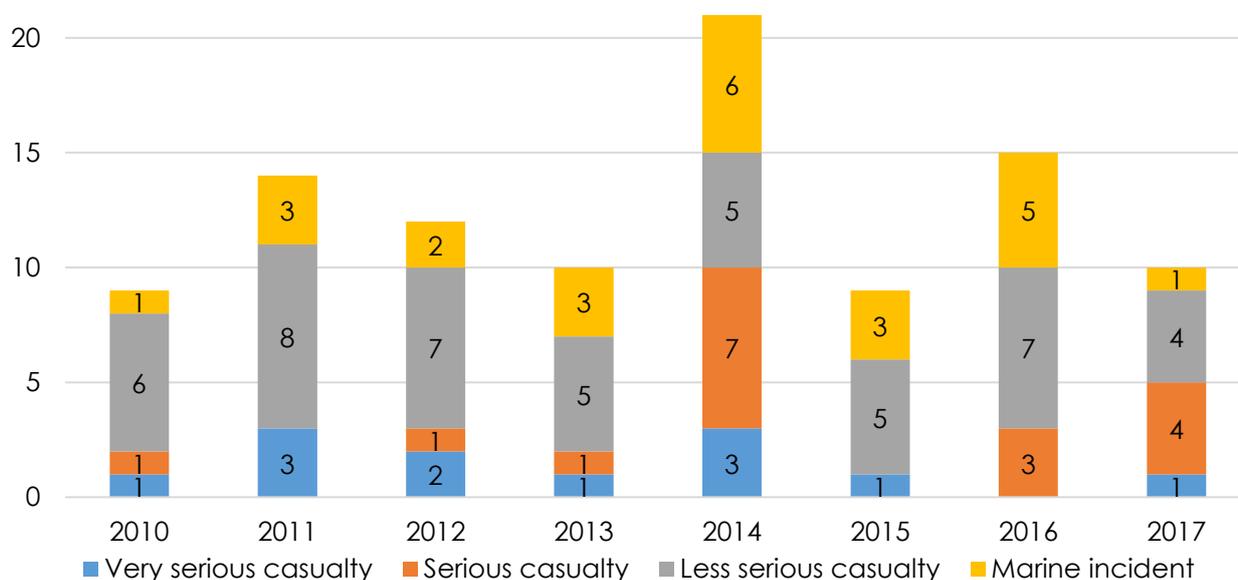


Fig. 7. Received notifications on maritime accidents and incidents

4. Marine Accidents and Incidents

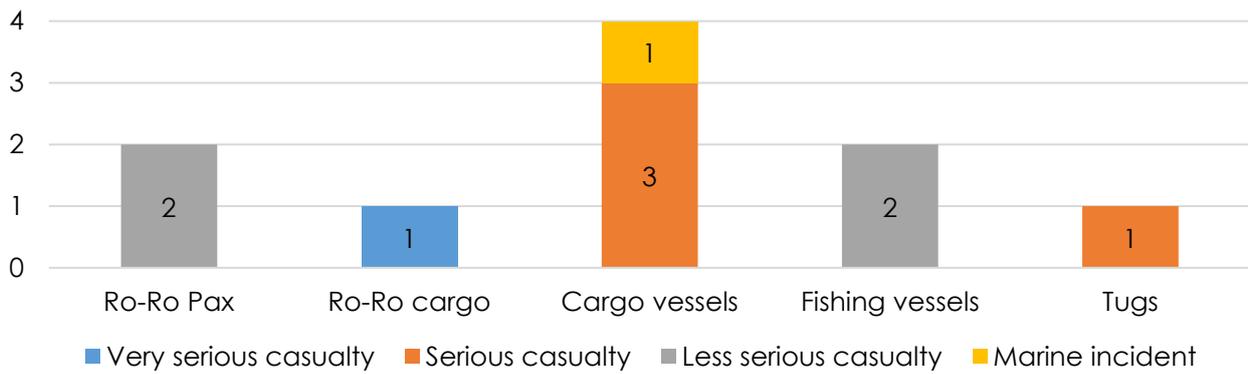


Fig 8. Categories of maritime accidents and incidents in 2017

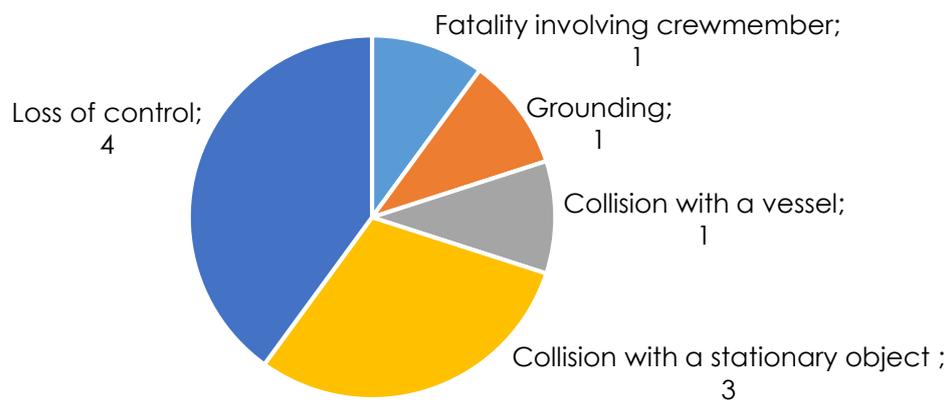


Fig. 9 Categories of accidents and incidents, occurred in 2017 m

4 serious casualties occurred in 2017 in the area of Klaipėda State Sea Port, involving ships of 3 different flags are presented in Figure 10.

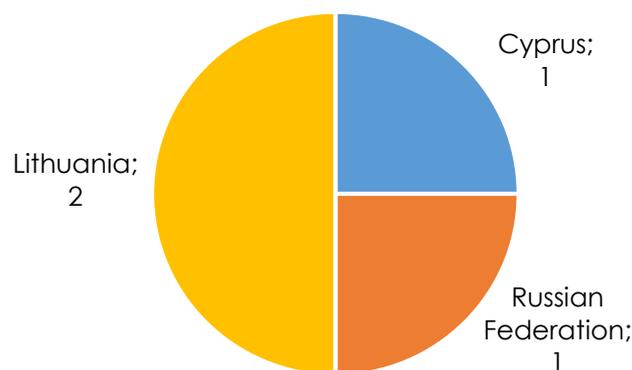


Fig. 10. Flags of vessels involved in accidents or incidents in Lithuania in 2016

The data of the vessels flying a flag of the Republic of Lithuania that suffered accidents or incidents at the ports or in the waters of other States are presented in Figure 11.

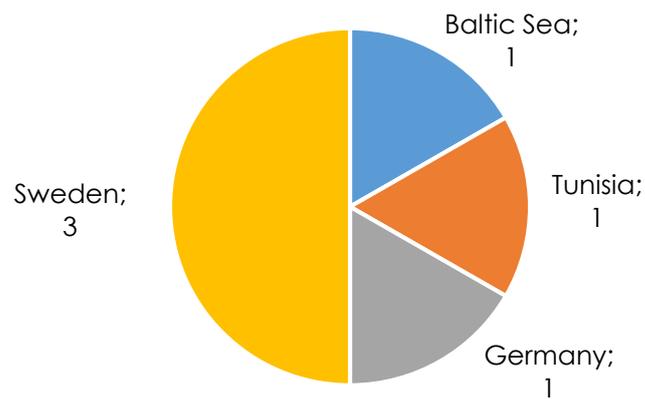


Fig. 11. Accidents and incidents that took not in Lithuania in 2017

4.6. Open safety investigation

Very serious accident, occurred on November 23, 2017, on Lithuanian flag Ro-Ro cargo ferry “Botnia Seaways”, IMO 9192129, in Rades port, Tunisia.

While discharging container from the berthed ship Botnia Seaways by shore crane, the crewmember – ordinary seaman was trapped between the trailers. The seaman was seriously injured and soon died in hospital.

5

SERIOUS ACCIDENTS, ACCIDENTS AND INCIDENTS IN RAIL TRANSPORT

5.1. Legal acts

All serious accidents, accidents and incidents are investigated following the provisions of Chapter V of Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification, which was transposed to Order No. 1R-385 of 30 December 2015 of the Minister of Justice of the Republic of Lithuania 'On the approval of the description of the procedure for the drawing up and the submission of reports on the investigation of serious accidents, accidents and incidents, and of the safety recommendations in rail transport, and Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety (new version) that must be complied with as of no later than 16 June 2019.

5.2. Definitions

Serious accident means any train collision or derailment of trains resulting in the death of at least one person or serious injuries to five or more persons or extensive damage of no less than EUR 2 million to rolling stock, the infrastructure or the environment is incurred, and any other accident with the same consequences which has an obvious impact on railway safety regulation or the management of safety.

Rail transport accident means an unwanted or unintended sudden event or a specific chain of such events which have harmful consequences; accidents are divided into the following categories: collisions; derailments; level crossing accidents; accidents to persons involving rolling stock in motion; also an accident when at least one person suffers injury because of moving rolling stocks, or when fire strikes in rolling stocks, and any other events causing comparable harmful consequences.

Incident means any occurrence, other than an accident or serious accident, affecting the safety of railway operations that however, did not cause any outcomes of serious accident or accident.

5.3. Obligation to investigate

Member States of the European Union shall ensure that all investigations of serious accidents in the railway transport system shall be performed by the safety investigation authority. Having received a notification about a railway transport occurrence the safety investigation authority shall immediately, but in any case, no later than within 3 calendar days, assess whether or not the railway transport occurrence meets the characteristics of a serious accidents, and in case it does match such characteristics, initiate a railway transport investigation.

In addition to serious accidents, the safety investigation authority may investigate the accidents and incidents that under slightly different conditions could have caused serious accidents. The safety investigation authority shall at its own discretion decide whether to initiate an investigation of such accident or the incident. In its decision, the safety investigation authority shall take into account the seriousness of the accident or the incident, and whether the accident is part of the series of accidents and incidents, its impact on the level of safety in rail transport at the Community level, as well as requests from infrastructure managers, railway undertakings, the safety authority or the Member States.

5.4. Notification system

Upon an occurrence of an accident or an incident railway companies (carriers), and the companies that use the railway infrastructure, also railway infrastructure operators shall without delay, and in case of a railway incident – within no later than 24 hours shall notify the safety investigation authority, and as soon as possible submit a primary notification of an approved form about the serious accident, accident or an incident in railway transport.

Railway infrastructure operators, railway companies (carriers), entities using the rail infrastructure or their authorised representatives may submit the primary notification

to the safety investigation authority by sending a digital copy of such notification by electronic mail. In case the State Railway Transport Inspectorate under the Ministry of Communications receives such primary notification directly, the Inspectorate shall within no later than 24 hours forward the notification to the safety investigation authority.

5.5. Serious accidents, accidents and incidents

The data on the notifications on serious accidents, accidents and incidents received through 2016-2017 are provided in Figure 12.

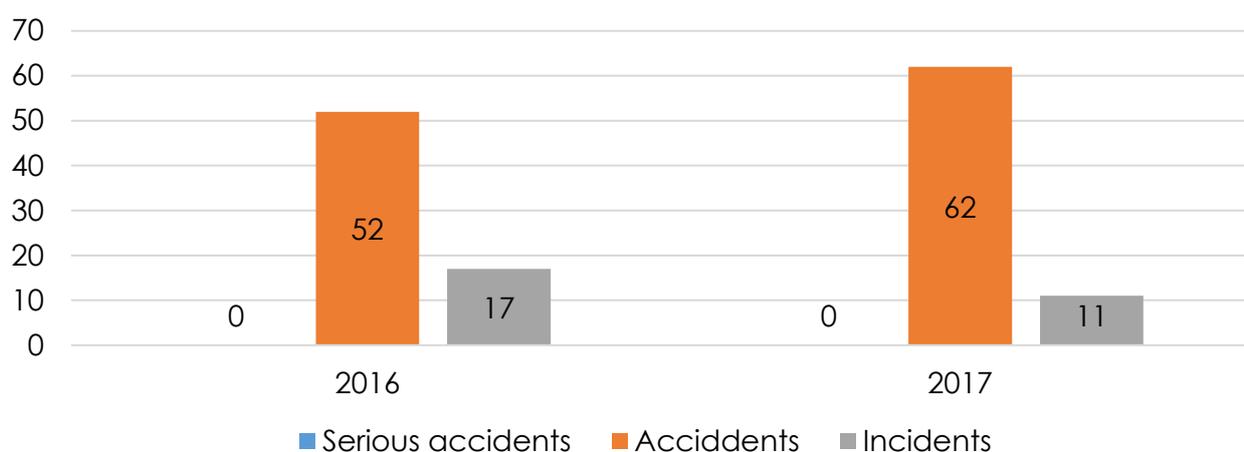


Fig. 12. Notifications on occurrences in rail transport received in 2016-2017

The railway accidents by categories are presented in Figure 13. Here GRS – rolling-stock collision; GRS-K – rolling-stock collision with an obstacle; GRN – rolling-stock derailment; JR – accident to persons from moving rolling-stock; EIP – level crossing accidents; GR – fire in rolling-stock; KEI – other occurrences.

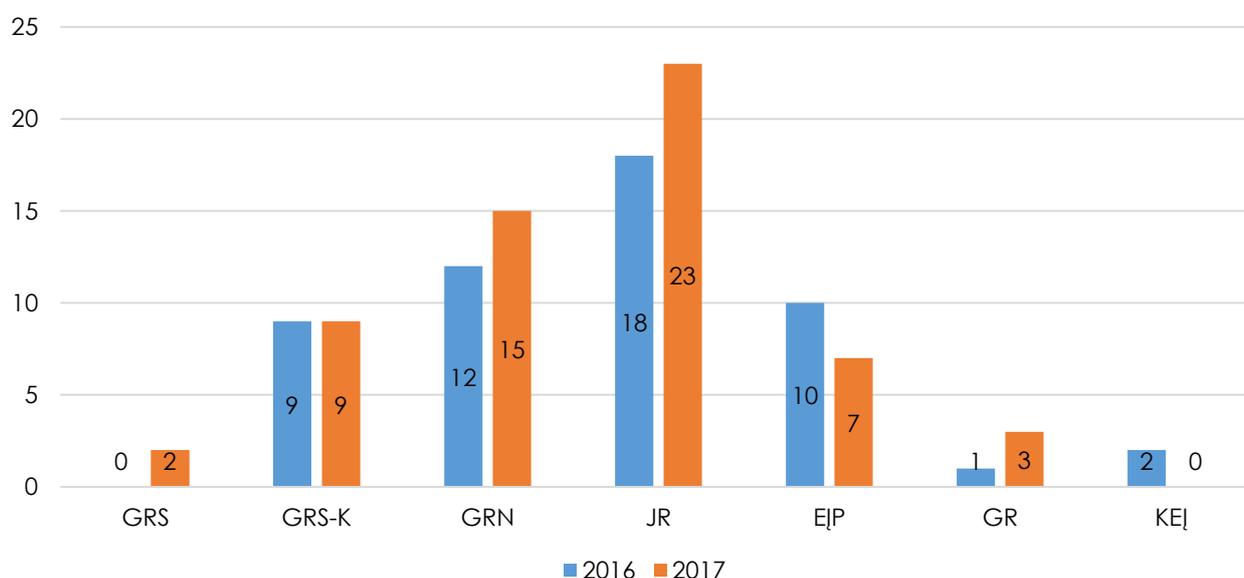


Fig. 13. Accidents in rail transport in 2016-2017 by categories

Number of persons injured as a result are shown in Figure 14.

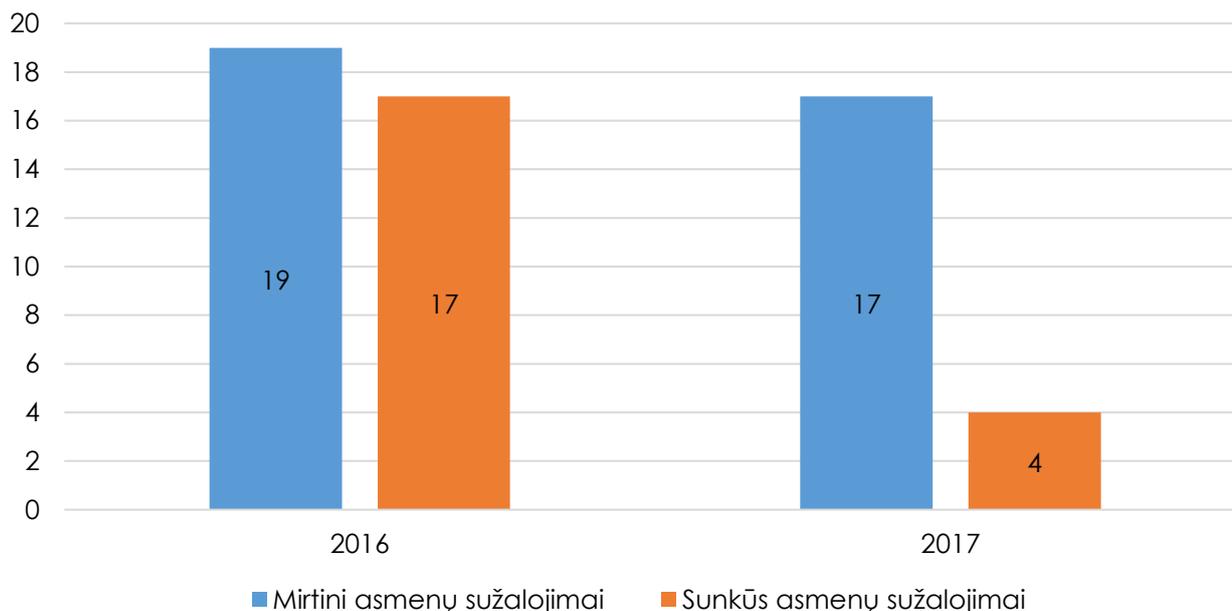


Fig. 14. Injured persons in railway accidents in 2016-2017

5.6. Open safety investigation

Considering that up until October 2016, there was no investigator in charge for serious accidents, accidents or incidents, only one investigation of a railway accident has been launched.

18 October 2016. Accident in railway transport at siding track No. 14 of Petrašiūnai railway yard of the Kaunas railway station. In the course of the accident a shunting locomotive No. 7477 driving next to the locomotive TEM TMH 026, which was parked at switch No. 19, pressed an employee. The employee was severely injured, damage to both shunting locomotives was minimal. Safety investigation stage – factual report consultation.

5.7. Prepared reports and safety recommendations

Considering that there were no serious accidents in railway transport in Lithuania, and until 2016 the safety investigation authority had not started any safety investigation of an accident or an incident, no safety investigation reports had been drawn up or recommendations submitted. Nevertheless, having regard to the impact upon safety and the available resources the safety investigation authority intends to start safety investigations of accidents and incidents in rail transportation.

All the reports on safety investigation of railway transport accidents, and the provided recommendations are published at the database of the European Union Agency for Railways which is publicly accessible.

