

COUNTRIES SURVEY QUESTIONNAIRE

The scope of part A of this questionnaire is to give an opportunity to the respondents to provide overall (generic) details on their experience in the safety investigation of accidents.

This section considers only "very serious" marine casualties involving SOLAS ships since 1 January 2010, the date of entry into force of the Casualty Investigation Code.

The questionnaire is structured into three main parts:

- Domain 1 The Member State (MS) administrative structure, available resources, legislation and policies for the conduct of safety investigations under the IMO Casualty Investigation Code¹
- Domain 2 The conduct and completion of a safety investigation²
- Domain 3 Submission of the required information to the GISIS database³

¹ IMO Member States' administrative impediments.

² Impediments to the conduct of the safety investigation itself in a thorough and timely manner.

³ Impediments to the reporting/submission of information to the IMO.

PART A

DOMAIN 1 – The Member State (MS) administrative structure, available resources, legislation and policies for the conduct of safety investigations under the IMO Casualty Investigation Code

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	<i>Function</i>	<i>Description</i>
Q1 Has the MS established an investigating body which is distinct and independent from the flag State Administration ⁴ ?	<input type="checkbox"/>	<input type="checkbox"/>		<i>MS Investigation Policy</i>	<i>The scope of Q1 is to have an indication of how investigation organizations within IMO MS are structured. This question is being made in view of the two main distinct set-ups adopted by the IMO Member States.</i>
Q2 Does the MS national legislation give effect to marine safety investigations carried out in compliance with the IMO Casualty Investigation Code?	<input type="checkbox"/>	<input type="checkbox"/>		<i>MS Investigation Policy</i>	<i>The scope of Q2 is to determine whether the MS has enacted the IMO Casualty Investigation Code and hence determine whether there are MS which may not investigate in accordance with the IMO Casualty Investigation Code. Q2 is also a filter question.</i>

⁴ The terms "independence" and "distinct" reflect the "principles of investigation" referred to in chapter 16 of the IMO Casualty Investigation Code.

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description
Q3 Is the objective of MS investigations to prevent similar marine casualties in the future rather than to determine liability or apportion blame?	<input type="checkbox"/>	<input type="checkbox"/>		<i>MS Investigation Policy</i>	Q3 aims to seek whether there is a culture of apportionment of blame which may limit the availability of relevant information that can be uploaded in GISIS. [FILTERED QUESTION FROM Q2].
Q4 The national legislation applies to safety investigations involving SOLAS ships.	<input type="checkbox"/>	<input type="checkbox"/>		<i>MS Investigation Policy</i>	Q4 aims to determine whether SOLAS ships are investigated.
Q5 The national investigation legislation applies to domestic shipping.	<input type="checkbox"/>	<input type="checkbox"/>		<i>MS Investigation Policy</i>	Q5 is aimed to be a follow up to Q4 and seeks to determine whether domestic ships are also addressed from a legal perspective.

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description
Q6 The MS categorises the severity of the reported occurrences in accordance with the IMO Casualty Investigation Code.	<input type="checkbox"/>	<input type="checkbox"/>		<i>MS Investigation Policy</i>	<i>Q6 is intended to determine whether the classification of occurrences is in accordance with the IMO Casualty Investigation Code and therefore there is a common definition of the term "very serious" and what needs to be uploaded in GISIS.</i>
Q7 The MS requires to be notified of "very serious" marine casualties.	<input type="checkbox"/>	<input type="checkbox"/>		<i>MS Investigation Policy</i>	<i>Prioritising on accidents in terms of severity and focussing only on "very serious" casualties may indicate whether eventually minimum data is being uploaded in GISIS.</i>
Q8 The MS requires to be notified of marine casualties which are not "very serious".	<input type="checkbox"/>	<input type="checkbox"/>		<i>MS Investigation Policy</i>	<i>Q8 extends over Q7 in order to determine whether the MS goes beyond the requirements of the IMO Code vis-à-vis occurrences which used to be classified as "serious" and "less serious" accidents and requests notifications of these occurrences.</i>

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description
Q9 The MS requires notification of marine incidents.	<input type="checkbox"/>	<input type="checkbox"/>		<i>MS Investigation Policy</i>	<i>Q9 extends from Q7 and Q8 in order to determine whether the MS goes beyond the requirements of the IMO Code vis-à-vis occurrences which are classified as marine incidents and requests notifications of these occurrences.</i>
Q10a Under the MS legislation, the safety investigation of "very serious" casualties is mandatory.	<input type="checkbox"/>	<input type="checkbox"/>	Please clarify if your answer to 10(b) is ' <u>Yes</u> ':	<i>MS Investigation Policy</i>	<i>In view of the limited data in GISIS, Q10 aims to identify whether there are any possibilities of occurrences which are classified as "very serious" in terms of the IMO Code but are not investigated.</i>
Q10b Under the MS legislation, the safety investigation of "very serious" casualties is discretionary.	<input type="checkbox"/>	<input type="checkbox"/>			

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description
Q11a Under the MS legislation, the safety investigation of casualties which are not "very serious" is mandatory.	<input type="checkbox"/>	<input type="checkbox"/>	Please clarify if your answer to 11(a) is ' <u>Yes</u> ':	MS Investigation Policy	Q11 aims to identify similar data to what is being asked in Q10 but refers to casualties which are not 'very serious'.
Q11b Under the MS legislation, the safety investigation of casualties which are not "very serious" is discretionary.	<input type="checkbox"/>	<input type="checkbox"/>			

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description
Q12a Under the MS legislation, the safety investigation of marine incidents is mandatory	<input type="checkbox"/>	<input type="checkbox"/>	Please clarify if your answer to 12(a) is 'Yes':	<i>MS Investigation Policy</i>	<i>Q12 aims to identify similar data to Q10 and Q11, although it refers only to marine incidents. It has to be kept in mind that marine incident investigation enhances the investigation capabilities of the MS and data input in GISIS.</i>
Q12b Under the MS legislation, the safety investigation of marine incidents is discretionary	<input type="checkbox"/>	<input type="checkbox"/>			
Q13 Under the MS legislation, the reporting of "very serious" casualties to the IMO is mandatory.	<input type="checkbox"/>	<input type="checkbox"/>		<i>MS Investigation Policy</i>	<i>Q13 aims to determine whether or not casualty data for mandatory safety investigations (i.e. into "very serious" casualties) is required to be reported to GISIS, hence confirming an understanding of the MS obligations, or otherwise. The question aims to explore whether there are MS, which may be investigating 'very serious' casualties, but not uploading the findings in GISIS.</i>

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description
Q14 Under national legislation, it is mandatory for the MS to report the findings of casualties other than "very serious".	<input type="checkbox"/>	<input type="checkbox"/>		<i>MS Investigation Policy</i>	<i>Q14 aims to determine whether or not casualty data (other than the minimum required by the IMO Casualty Investigation Code) is required to be reported to GISIS. The question aims to explore whether there are MS, which may be investigating casualties other than "very serious" but not uploading the findings in GISIS.</i>
Q15 National legislation may limit access to evidence to other substantially interested States.	<input type="checkbox"/>	<input type="checkbox"/>	If your answer is 'yes', please state under what conditions evidence can be shared.	<i>MS Investigation Policy</i>	<i>Q15 aims to determine whether National legislation may prohibit the sharing of evidence with other MS, leading to delays and potential non-reporting to the IMO. Q15 is also a filter question.</i>

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description
Q17 The MS has a National policy on when to submit safety investigation reports to the IMO.	<input type="checkbox"/>	<input type="checkbox"/>		Notification to IMO Policy	Q17 is asked because absence of a deadline may lead to lack of incentive to report data to GISIS
Q18 Based on investigations conducted into "very serious" marine casualties since 01 January 2010, what is the minimum number of months, which are generally required to upload the final safety investigation report on GISIS?			Please enter the number of months below:	Notification to IMO Policy	Q18 aims to quantify the average number of months which IMO Member States take to upload a safety investigation report in GISIS.

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	<i>Function</i>	<i>Description</i>
Q19 Has the MS, experienced difficulties to investigate because access to evidence was limited by another State?	<input type="checkbox"/>	<input type="checkbox"/>	If the answer is 'Yes', under which condition(s) was the evidence limited?	<i>Cooperation</i>	<i>Q19 aims to determine whether the MS (as the lead investigating State) has ever been prohibited access to evidence because of the requirements of the National legislation of the substantially interested State, leading to delays and potential non reporting to the IMO. Q19 is also a filter question.</i>

Question	Remarks (Please explain further as necessary)					Function	Description		
Q20 If your answer to Q19 is 'Yes', please indicate the evidence which the substantially interested State was unable to share:	Hardly	Occasional	Sometimes	Frequent	Almost always	MS Investigation Policy Cooperation	Q20 aims to identify which evidence was not provided to the lead investigating State by the substantially interested States because of the requirements prescribed in the legislation of the substantially interested State. [FILTERED QUESTION FROM Q19].		
<ul style="list-style-type: none"> • <i>Physical</i> (material, debris, equipment); 	1	2	3	4	5				
<ul style="list-style-type: none"> • Recordings of witness interviews; 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<ul style="list-style-type: none"> • <i>Electronic</i> (VDR, sVDR, AIS, ENC); 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<ul style="list-style-type: none"> • <i>Photographic</i>/ video); 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<ul style="list-style-type: none"> • <i>Documentary</i> (charts, written witness statements, logbooks, standing orders, correspondence); 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<ul style="list-style-type: none"> • <i>Official documentation</i> (official correspondence with other parties); 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<ul style="list-style-type: none"> • <i>Historical</i> (refits or maintenance); 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<ul style="list-style-type: none"> • <i>Underwater</i> (wrecks on seabed); 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<ul style="list-style-type: none"> • <i>Lab reports</i> (testing and analysis); 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<ul style="list-style-type: none"> • Other. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description
Q21a Has the MS as the flag State ever decided not to investigate a 'very serious' casualty due to lack of available resources to conduct the safety investigation?	<input type="checkbox"/>	<input type="checkbox"/>		<i>Internal Resource</i>	<i>The scope of Q21 is to determine whether the number of occurrences and / or the resources available required to process the occurrences are an issue in the reporting of information into GISIS. Q21 is also a filter question.</i>
Q21b Has the MS ever been asked to investigate a 'very serious' casualty, for which it is not a substantially interested State, due to the flag State not having available resources to conduct the safety investigation	<input type="checkbox"/>	<input type="checkbox"/>			
Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description

Q22 If your answer to Q21a is 'Yes', how many "very serious" casualties have not been investigated since 01 January 2010? Please enter the number of safety investigations into "very serious" casualties which have not been investigated:

Q23 The MS has safety investigators with different backgrounds to be deployed, depending on the accident type (e.g. navigational, engineering, and others)

Internal Resource

[FILTERED QUESTION FROM Q21].

Internal Resource

The lack of a selection of investigators' background within the MS may eventually have negative effect on the collection of evidence, its analysis, and the reporting of data to GISIS.

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description
Q24 The flag State has logistical challenges with the majority of the "very serious" casualties because they happen either in the waters of other MS and/or in international waters.	<input type="checkbox"/>	<input type="checkbox"/>		--	Q24 aims to determine the context in which MS carry out their investigations. The question may indicate differences between traditional port States and flag States, where accidents in territorial waters of others may increase the challenges to the flag State, not least logistically to arrive at the accident site, preserve the evidence and transport it.
Q25 The MS has internationally dispersed investigators available for immediate deployment.	<input type="checkbox"/>	<input type="checkbox"/>		Internal / External Resource	Q25 aims to determine the availability of internationally dispersed investigators. This question should be most applicable to MS which are predominantly flag States rather than port States. Q25 is also a filter question.

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description
<p>Q26 If your answer to Q25 is 'No', did the MS experience difficulties to conduct a safety investigation due to lack of internationally dispersed investigators.</p>	<input type="checkbox"/>	<input type="checkbox"/>		<i>Internal / External Resource</i>	<i>Q26 aims to confirm whether lack of availability of internationally dispersed investigators delayed or even halted safety investigations and eventually interfered with the submission of information to GISIS. [FILTERED QUESTION FROM Q25].</i>
<p>Q27 The MS has access to engineering, technical support and / or electronic data reading capabilities (e.g. VDR, sVDR, AIS, ENC).</p>	<input type="checkbox"/>	<input type="checkbox"/>	If your answer is 'Yes', please describe.	<i>Internal / External Resource</i>	<i>Q27 aims to determine whether the MS has the technical resources to extract and read electronic data for the purpose of the safety investigation.</i>

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description
Q28 The MS has experienced difficulties in establishing contact with other MS with respect to the conduct of a safety investigation.	<input type="checkbox"/>	<input type="checkbox"/>	Please provide details of these experiences:	Cooperation	<i>Q28 aims to understand whether communication with other MS may be an issue. The question, however, does not identify the source of problem e.g. contact details not updated/available on GISIS.</i>
Q29 Do technical complexities of safety investigations cause delays in completing safety investigation reports and their submission to IMO?	<input type="checkbox"/>	<input type="checkbox"/>	Please provide details of why you believe that complexity has increased in modern casualties:	Internal Resource	<i>Q29 seeks to determine whether complex casualties may delay the submission of information to GISIS because there is not adequate expertise within the MS.</i>

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	<i>Function</i>	<i>Description</i>
30 The MS has the necessary budget to deploy its investigators to any accident site and/or assign the investigation task.	<input type="checkbox"/>	<input type="checkbox"/>		Internal Resource	<i>Q30 aims to determine whether or not there are adequate financial resources to deploy investigators in a timely manner to ensure that safety investigations are not delayed (or evidence is perished).</i>

DOMAIN 2 – The conduct and completion of a safety investigation

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>					Function	Description
Q31 The MS has experienced language barriers when communicating with other interested <u>parties</u> .	Hardly 1 <input type="checkbox"/>	Occasional 2 <input type="checkbox"/>	Sometimes 3 <input type="checkbox"/>	Frequent 4 <input type="checkbox"/>	Almost always 5 <input type="checkbox"/>	Internal Resource	Q31 aims to determine whether language barriers with interested parties were ever an issue during the course of safety investigations. Q31 is also a filter question.		
Q32 The MS has experienced language barriers when communicating with other substantially interested <u>States</u> .	<input type="checkbox"/>	<input type="checkbox"/>						Internal Resource	Q32 aims to determine whether language barriers with <u>substantially interested States</u> were ever an issue during the course of safety investigations. Q32 is also a filter question.
Q33 Language barriers have led to problems in the preservation and collection of evidence.	<input type="checkbox"/>	<input type="checkbox"/>						Internal Resource	Q33 aims to determine whether the communication problems were serious enough to lead to issues with the preservation and collection of evidence. [FILTERED QUESTION FROM Q31 AND Q32] .

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description
Q34 The MS has experienced difficulties other than language barriers with interested <u>parties</u> .	<input type="checkbox"/>	<input type="checkbox"/>		<i>Internal / External Resources / Cooperation</i>	<i>Q34 aims to quantify whether the MS has ever encountered difficulties other than language barriers with interested parties. Q34 is also a filter question.</i>
Q35 The MS has experienced difficulties other than language barriers with substantially interested <u>States</u> .	<input type="checkbox"/>	<input type="checkbox"/>		<i>Internal / External Resources / Cooperation</i>	<i>Q35 aims to quantify whether the MS has ever encountered difficulties other than language barriers with interested States. Q35 is also a filter question.</i>
Q36 Difficulties other than language have led to problems in the safety investigation of an accident.	<input type="checkbox"/>	<input type="checkbox"/>		<i>Internal / External Resource / Cooperation</i>	<i>Q36 is a follow up to the previous two questions. It aims to quantify whether the MS has ever delayed the safety investigation and hence the uploading of information to GISIS because there were cooperation issues with interested parties or substantially interested State/s during the collection of evidence. [FILTERED QUESTION FROM Q34 and Q35].</i>

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description
Q37 Does the MS foresee that legal and / or judicial proceedings into a casualty can add significant time to the completion of a safety investigation.	<input type="checkbox"/>	<input type="checkbox"/>		Cooperation	<i>Whereas Q15 and Q19 looked into potential issues with the preservation of evidence, Q37 aims to quantify whether there were ever any potential issues as a result of parallel investigations, which would have had an impact on the uploading of information in GISIS.</i>
Q38 The MS has deployed specific experts (e.g. human factors and fire experts) to assist in the collection of evidence.	<input type="checkbox"/>	<input type="checkbox"/>		Internal / External Resource	<i>Q38 aims to quantify if lack of access to specific experts, such as human factors experts and fire experts was ever been an issue during the collection of evidence. Q38 is also a filter question. The question focuses more on whether they can be readily deployed rather than availability.</i>
Q39 Lack of specific experts at the accident site has added significant time to the completion of the safety investigation.	<input type="checkbox"/>	<input type="checkbox"/>		Internal / External Resource	<i>Q39 aims to quantify if lack of access to specific experts, such as human factors experts and fire experts has eventually delayed or stalled a safety investigation and delayed and / or prevented the uploading of data into GISIS. [FILTERED QUESTION FROM Q38].</i>

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description
Q40 The MS has experienced problems gaining access to crew members to carry out interviews.	<input type="checkbox"/>	<input type="checkbox"/>		Cooperation	<i>Q40 aims to determine whether access to human evidence is problematic for whatever reason, being fear of incrimination, early repatriation and objections raised by legal representatives.</i>
Q41 After returning from the accident site, the MS has encountered difficulties when follow-up information from other interested parties and/or substantially interested States was requested.	<input type="checkbox"/>	<input type="checkbox"/>		Cooperation	<i>Q41 aims to determine whether hot debriefs and/or analysis of raw data (which, more often than not, will lead to requests for further data), has ever been hampered in any way, potentially leading to delays in the reporting of findings to GISIS.</i>

DOMAIN 3 – Submission of the required information to the GISIS database

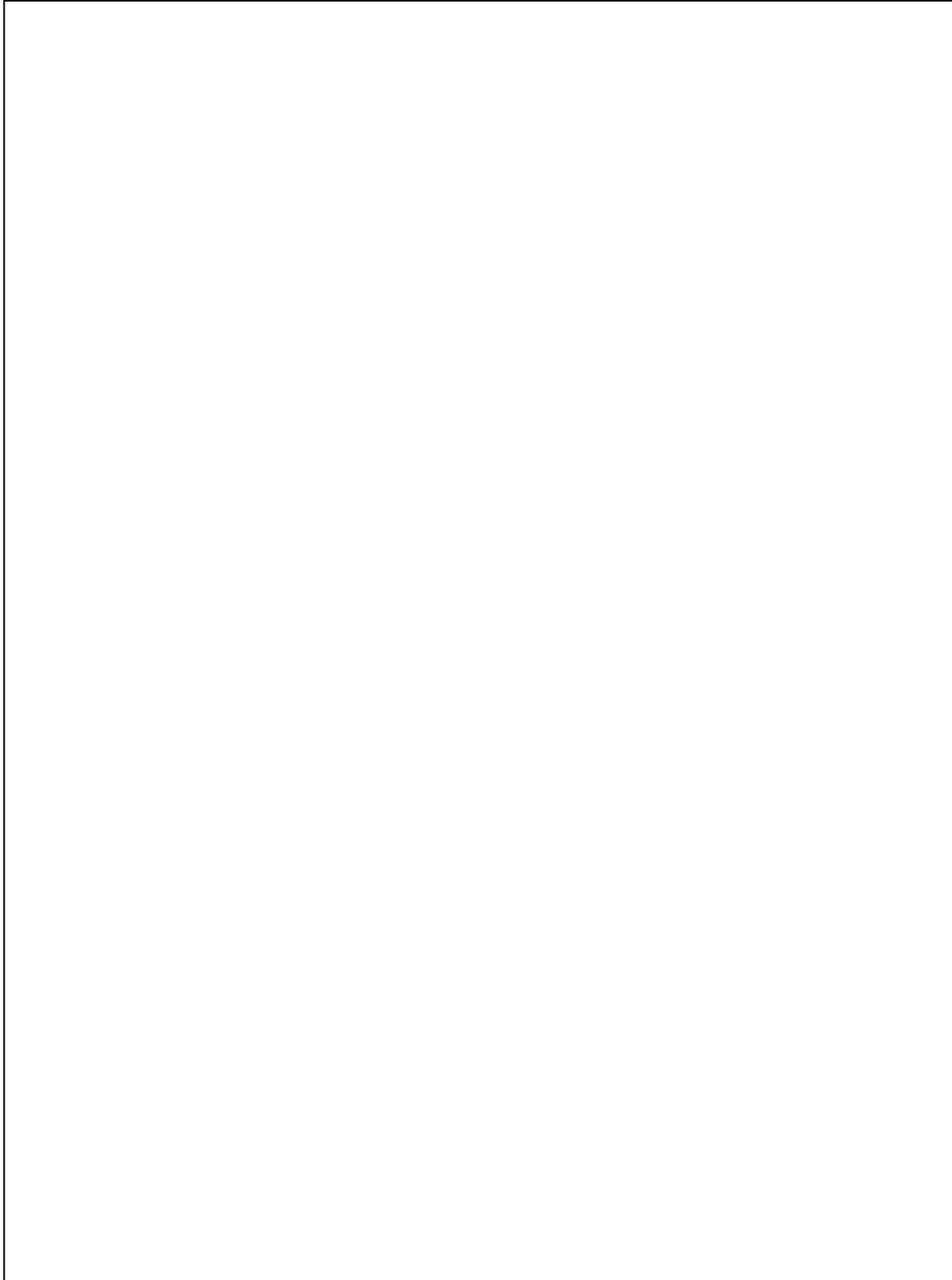
Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>	Function	Description
Q42 The MS would not submit the preliminary report (Annex 1) to the IMO unless all data is available.	<input type="checkbox"/>	<input type="checkbox"/>		<i>'Notification to IMO' Policy</i>	<i>Q42 aims to determine whether MS have delayed the submission of initial data because they are aware of gaps in the data.</i>
Q43 The MS experienced difficulties with the reporting of information to the IMO because GISIS is very time consuming to populate.	<input type="checkbox"/>	<input type="checkbox"/>	Please elaborate if your answer to Q43 is ' <u>Yes</u> ':	<i>Internal Resource</i>	<i>Q43 tries to determine whether MS sees the fields in GISIS too numerous and time consuming.</i>
Q44 The MS experienced difficulties with the reporting of information to the IMO because GISIS is not user friendly to populate.	<input type="checkbox"/>	<input type="checkbox"/>	Please elaborate if your answer to Q44 is ' <u>Yes</u> ':	<i>Internal Resource</i>	<i>Q44 tries to determine whether the fields and / or taxonomy in GISIS are perceived to be too complex to the extent that they prohibit the reporting of data into GISIS.</i>

Question	YES	NO	Remarks <i>(Please explain further as necessary)</i>					Function	Description
Q45 The MS publishes accident reports but does not populate the accident data into GISIS.	<input type="checkbox"/>	<input type="checkbox"/>	Please clarify if your answer to Q45 is 'Yes':					'Notification to IMO' Policy	Q45 aims to determine whether MS investigate and publish reports but do not upload information in GISIS.
Q46 MS approval procedures to release the safety investigation report may result in extending the time required to complete a report to significantly longer than a year.	<input type="checkbox"/>	<input type="checkbox"/>						'Notification to IMO' Policy	Q46 aims to query on the possibility of situations during the consultation phase of the safety investigation, when a draft report is prepared and interested parties (or substantially interested States) submit substantiated comments, which may necessitate the delays in the completion of the investigation and eventual submission of information to GISIS. Q46 is also a filter question.
Q47 If your answer to Q46 is 'Yes', is the safety investigation target completion date missed?	Hardly 1 <input type="checkbox"/>	Occasional 2 <input type="checkbox"/>	Sometimes 3 <input type="checkbox"/>	Frequent 4 <input type="checkbox"/>	Almost always 5 <input type="checkbox"/>	'Notification to IMO' Policy	Q47 aims to qualify whether the deadline is effective within the MS. [FILTERED QUESTION FROM Q46].		

PART B

The scope of this part of the questionnaire is to invite MS to expand on any topics covered in the questionnaire using its experience(s) when dealing with "very serious" casualties investigation(s).

However, you may comment on any topic which was not raised in the questionnaire.

A large, empty rectangular box with a thin black border, intended for the respondent to provide comments on any topics not raised in the questionnaire. The box is currently blank.
