



## **ACTIVITY REPORT 2009**

### **The Technical Investigation Department (AET)**

#### **General context**

The Technical Investigation Department has seen, since it was set up in 2008, following the coming into force of the law of 30 April 2008, a) the setting up of the Technical Investigation Department, b) the modification of the amended law of 22 June 1963 dealing with the salary scales of Civil Servants, and c) the repeal of the law of 8 March 2002 on the technical investigation bodies for serious accidents and incidents that occur in the fields of civil aviation, maritime transport and railways.

The creation of such an independent technical investigation body was required in order to comply with the community and international requirements which deal with the procedure for investigations into serious accidents and incidents in the various modes of transport. Luxembourg opted for a multi-modal structure covering the fields of civil aviation, maritime and river transport and railways. The advantage of such a structure is that it optimises the available resources, in view of the fact that the general approach of a technical investigation is similar in all the modes involved.

The Department was strengthened at the end of 2008 by the internal recruitment of a mid-career civil servant. However the further increase of staff to four people, requested initially for 2009, has still not happened and thus the nominal method of operation has still not been reached.

#### **Functional context**

The main activity of the Department is to carry out a technical investigation following a serious accident or incident in one of the fields referred to in the law of 30 April 2008 mentioned above. The aim of which is to identify the factors that led to this event and, if appropriate, to issue safety recommendations in order to avoid such a situation recurring. The improvement of safety is, therefore, the sole

objective of the Department and it does not in any way fall to it to pronounce on any responsibility for an accident or serious incident.

Thus, a technical investigation is not limited solely to the facts immediately attached to an event, but it also covers numerous other aspects relating to the operation and the organisation which concern either directly or indirectly the sector under investigation.

Independence, both on the organisational level as on the operational level, is therefore a most important element in the functioning of a technical investigation body. These principles are, moreover, enshrined in the community and international documents of reference which deal with technical Investigations in the fields of transport.

## **Railways**

### *Railway collision at Zoufftgen - 11 October 2006*

Following the tragic railway collision which took place on 11 October 2006 at the Franco-Luxembourg frontier near Zoufftgen (F) in which six people died and several persons were injured, the authorities of the two countries decided to combine their efforts and carry out a joint technical investigation.

The sole aim of this enquiry was to determine the factors which led to the accident in order to avoid, by means of safety recommendations addressed to the various people involved, such an event occurring again. It was completed at the end of February 2009 and published immediately afterwards.

### *Fatal accident on the tertiary system at Differdange - 3 February 2009*

On the night of 3 February 2009, at about 2am, there was an accident during a coupling operation on track 507 of the tertiary system at Differdange. A shunter had his legs severed at the knees and died in hospital on 27 February 2009 as a result of his serious injuries.

A technical investigation in accordance with the national legislation in force was carried out into this accident. With the cooperation of the operator of the system, tests were carried out on the site in question, using the same rolling stock and in the same configuration, to collect useful information to examine the accident. The publication of the report is expected in 2010.

*Translation provided for information purposes, by the Translation Centre for the bodies of the EU  
The only valid version is the original version provided by the NIB*

ITEM	CATEGORY	ACCIDENTS	SERIOUS INCIDENTS	INCIDENTS	TOTAL PER CATEGORY
A	Damage to installations or rolling stock	-	-	-	-
B	Disruption to installations	-	-	-	-
C	Shunting incidents and accidents	-	-	7	7
D	Incidents and accidents when trains were running	-	-	2	2
E	Incidents and accidents to road vehicles on level crossings in the area administered by the Operating Department	-	-	7	7
F	Accidents at work	1	-	1	2
G	Accidents involving people (including suicides)	-	-	5	5
H	Fires, explosions	-	-	-	-
J	Offences	-	-	1	1
K	Natural events	-	-	-	-
L	Demonstrations, strikes	-	-	-	-
M	Other extraordinary events	-	-	-	-
	<b>TOTAL BY CLASSIFICATION</b>	<b>1</b>	<b>-</b>	<b>23</b>	<b>24 TOTAL</b>