



**REPUBLIC OF SERBIA  
CENTER FOR INVESTIGATION  
OF ACCIDENTS IN TRANSPORT  
Nemanjina 11  
11000 Belgrade**

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## **ANNUAL REPORT 2016**



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Pursuant to Article 33 of the Law on Investigation of Air, Rail and Water Traffic Accidents ("Official Gazette of the Republic of Serbia" No. 66/15), the Department for Investigations of Rail Traffic Accidents and International Cooperation of the Centre for Investigation of Accidents in Transport submits the Annual Report for 2016.

## **1. INTRODUCTION**

Center for Investigation of Accidents in Transport, part of which is the Department for Investigations of Rail Traffic Accidents and International Cooperation, is a special organisation conducting investigation after serious accidents relevant to the railway system. In addition to serious accidents, the Centre may also investigate other accidents and incidents that could lead to a serious accident, including a technical failure of structural subsystems or interoperability constituents, in accordance with the Law on Investigation of Air, Rail and Water Traffic Accidents ("Official Gazette of the Republic of Serbia" No. 66/15).

Center for Investigation of Accidents in Transport is independent in its work and conducts independent investigations. The aim of the investigation is to identify the causes and the possibility of improving railway safety and preventing accidents.

In accordance with the Law on Investigation of Air, Rail and Water Traffic Accidents ("Official Gazette of the Republic of Serbia" No. 66/15) and the Directive 2004/49/EC of the European Parliament and of the Council, Department for Investigations of Rail Traffic Accidents and International Cooperation within the Center for Investigation of Accidents in Transport drafted the Annual Report for 2016, containing:

- Information on the Centre for Investigation of Accidents in Transport
- Investigation procedure in the field of railway traffic
- Investigation of serious accidents, other accidents and incidents in railway traffic
- Issued safety recommendations

## **2. TRAFFIC ACCIDENT INVESTIGATION CENTRE**

### **2.1. Legal basis**

The Directive 2004/49/EC of the European Parliament and of the Council has been transposed in the national legislation of the Republic of Serbia by passing the Law on Safety and Interoperability of the Railway ("Official Gazette of the Republic of Serbia", No.



104/2013, 66/2015 - other law and 92/2015) and the Law on Investigation of Air, Rail and Water Traffic Accidents ("Official Gazette of the Republic of Serbia no. 66/15).

According to the Law on Investigation of Air, Rail and Water Traffic Accidents ("Official Gazette of the Republic of Serbia" no. 66/15), accidents and incidents can be:

1. Serious accident in railway traffic 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 to rolling stock, the infrastructure or the environment, and any other similar accident with an obvious impact on railway safety regulation or the management of safety.
2. Accident in railway traffic means an unwanted or unintended sudden event or a specific chain of such events which have harmful consequences (collisions, derailments, level-crossing accidents, accidents to persons caused by rolling stock in motion, fires and others)
3. Incident in railway traffic means any occurrence associated with the operation of trains or maneuver composition and affecting the safety of operation.

According to the Law on Railway Safety and Interoperability ("Official Gazette of the Republic of Serbia", No. 104/2013, 66/2015 - other law and 92/2015), Infrastructure Manager and railway undertakings shall perform tasks related to investigation of causes and consequences of accidents and incidents in railway traffic, as well as conditions under which they occurred.

According to the Law on Investigation of Air, Rail and Water Traffic Accidents ("Official Gazette of the Republic of Serbia" No. 66/15), the Department for Investigations of Rail Traffic Accidents and International Cooperation within the Centre for Investigation of Accidents in Transport shall conduct investigation independently of all parties and organizations in charge of rail transport.

Professional activities related to safety investigations are independent of judicial inquiry or any other parallel investigations which objective is to determine responsibility or the degree of guilt.

The aim of investigation and discovering the cause of an accident is not determination of criminal, economic, misdemeanour, disciplinary, civil or any other liability.

## **2.2. Role and objective**

Centre for Investigation of Accidents in Transport has been established in accordance with the Law on Investigation of Air, Rail and Water Traffic Accidents ("Official Gazette of the Republic of Serbia" No. 66/15). Department for investigations of railway traffic accidents and international cooperation carries out tasks within the competence of the Centre for Investigation of Accidents in Transport in relation to rail traffic with the aim of possible improvement of safety on the railways by issuing safety recommendations.



The Law on Investigation of Air, Rail and Water Traffic Accidents ("Official Gazette of the Republic of Serbia" No. 66/15) does not apply to subway (metro), trams and other types of light rail.

The main tasks of the Centre for Investigation of Accidents in Transport, Department for investigations of railway traffic accidents and international cooperation are:

- Investigation of serious accidents, other accidents and incidents occurring on the railways system
- Preparation of final reports on conducted investigations that may contain safety recommendations aiming to improve safety of rail transport.

The Centre performs other tasks stipulated by Law on Investigation of Air, Rail and Water Traffic Accidents ("Official Gazette of the Republic of Serbia" No. 66/15).

### **2.3. Organisation of the Centre**

Within the Centre for Investigation of Accidents in Transport there are three departments for investigation of accidents in air, rail and water traffic. A specific internal unit, Group for financial, legal and personal affair, has been established.

Department for investigations of railway traffic accidents and international cooperation has become functional on June 26, 2017 and employs one chief investigator for rail traffic.

Department for investigations of railway traffic accidents and international cooperation within the Centre for Investigation of Accidents in Transport is independent in its work and of all other bodies and organisations in charge of railway traffic (Ministry of Construction, Transport and Infrastructure, Directorate for Railways, Railway Infrastructure Manager and railway undertakings), as well as of all legal and natural persons whose interests may be in conflict with the tasks and authority of the Centre.

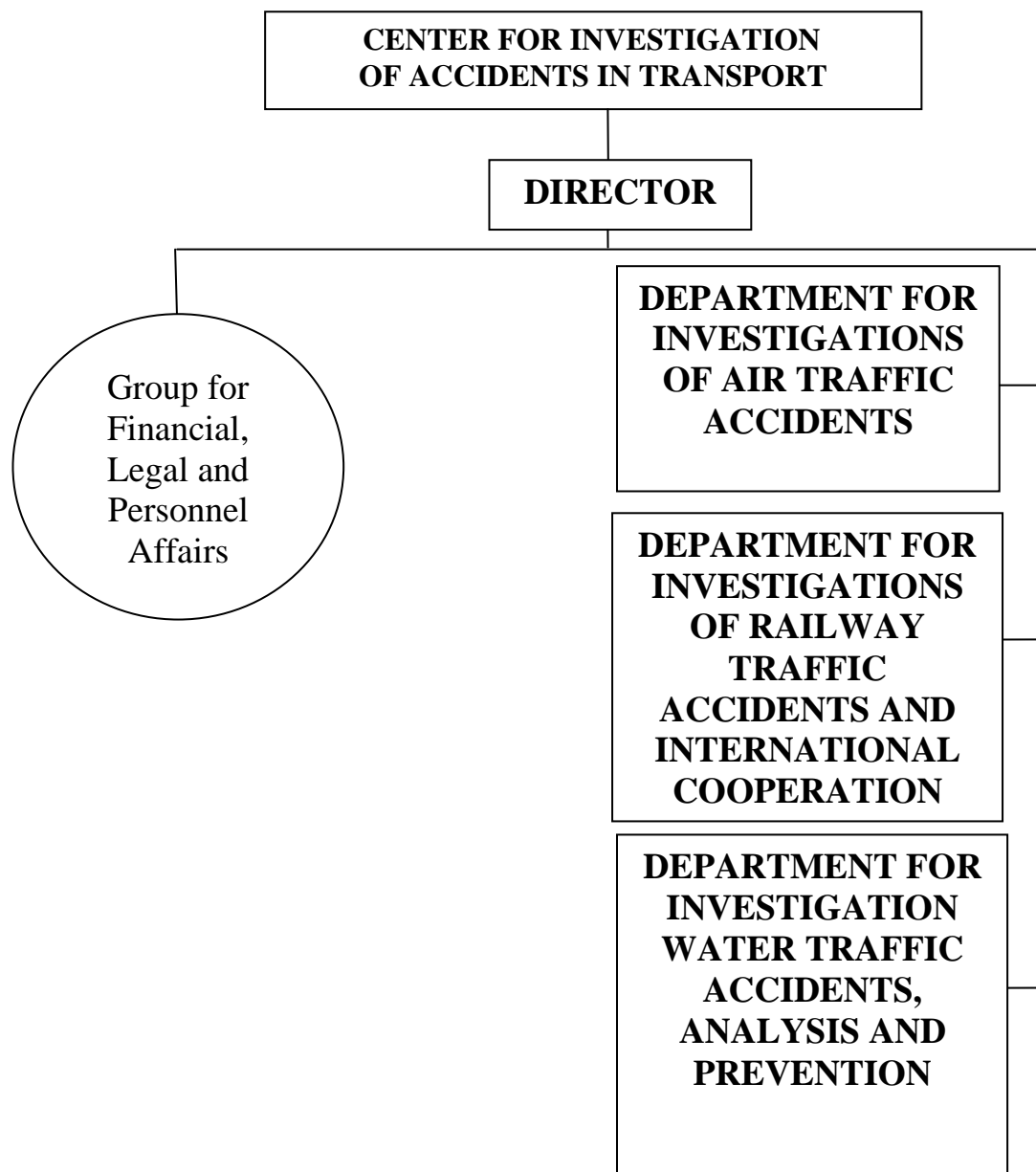


Figure 1 - Structure of the Centre for Investigation of Accident in Transport

## 2.4. Organisations responsible for the railway system

Organisations responsible for the railway system in the Republic of Serbia are Ministry of Construction, Transport and Infrastructure, Directorate for railways and Centre for Investigation of Accidents in Transport.

Ministry of Construction, Transport and Infrastructure (MCTI) carries out state administration affairs related to the regulation and security of the transport system. The Ministry is in charge of drafting laws passed by a legislative body. The legislative body in the Republic of Serbia is the National Assembly. The Ministry sets the legal framework for the development of railway regulations and the implementation of EU legislation. The Ministry



also carries out supervision of internal and international transport and intermodal transport, regulation and safety of the technical and technological traffic system.

Directorate for Railways carries out affairs of the state administration in the field of railways, defined by the Law on Railway ("Official Gazette of RS" No. 45/2013 and 91/2015) and the Law on safety and interoperability of Railway ("Official Gazette of the Republic of Serbia", No. 104/2013, 66/2015 - other law and 92/2015). The Directorate performs tasks related to regulation of the market of railway services, regulation of safety and interoperability of rail traffic. Directorate for Railways is competent to issue, extend the validity, modify and withdraw the safety certificate for infrastructure managers and railway undertakings, to pass secondary legislation, to participate in international cooperation in the field of rail traffic which is realised by the Ministry of Construction, Transport and Infrastructure.

Centre for Investigation of Accidents in Transport is a state body which carries out investigations of accidents and incidents in accordance with the Law on Investigation of Air, Rail and Water Traffic Accidents ("Official Gazette of the Republic of Serbia" No. 66/15).

### **3. INVESTIGATION PROCEDURE IN THE FIELD OF RAILWAY TRAFFIC**

#### **3.1. Accidents and incidents being investigated**

Based on the Law on Investigation of Air, Rail and Water Traffic Accidents ("Official Gazette of the Republic of Serbia" No. 66/15), the Centre conducts investigations after serious accidents on the railway system with a view to possible improvement of railway safety and the prevention of new accidents caused by the same or similar causes. In addition to serious accidents, the Centre may also investigate other accidents and incidents that could lead to a serious accident, including the technical failure of structural subsystems or interoperability constituents.

The Centre has the discretion to decide whether to open an investigation of other accidents and incidents.

In rendering its decision, the Centre shall take into account the seriousness of accidents and incidents; whether other accidents or incidents are part of a chain of accidents, or incidents of significance for the system as a whole, their impact on the safety of the railway network of the Republic of Serbia, as well as the railway network of the European Union, whether there is a request from the infrastructure manager, carriers, the Directorate for Railways or competent authorities of other countries, as well as an assessment of the benefits for gaining new knowledge from accident and accident research that would have an impact on the safety of the rail system.



### **3.2. Organisations involved in investigation process**

Investigations of serious accidents, other accidents and incidents on the railway system can be performed by different organizations in accordance with their legal obligations as follows:

- Infrastructure Manager and railway undertakings, pursuant to the Law on Railway Safety and Interoperability ("Official Gazette of the Republic of Serbia", No. 104/2013, 66/2015 - other law and 92/2015) and their safety management systems (SMS) deal with determining the causes and taking measures based on the results of investigation.
- Centre for Investigation of Accidents in Transport investigates serious accidents, other accidents and incidents with the aim to determine the causes and give safety recommendations in order to improve safety of the railway system.
- The Public Prosecutor's Office and police investigate an accident or incident in order to determine liability for committed infringement or criminal offense.

### **3.3. Centre's approach to an investigation**

Centre for Investigation of Accidents in Transport, i.e. Department for investigation of railway traffic accidents and international cooperation, shall carry out an investigation to determine the causes in order to provide safety recommendations in terms of preventive actions aiming to reduce the number of accidents and incidents and improve the safety of the railway system. Investigations carried out by the Centre for Investigation of Accidents in Transport do not seek to determine liability.

After the Centre for Investigation of Accidents in Transport receives notification of an accident or an incident on the railway system, it makes the decision whether to go on the site of the accident or incident or not. At the location of the accident or incident, the investigator will conduct an investigation and check the collected facts and procedures, undertaken by the infrastructure manager and railway carrier (if either organizations or one of them are involved in the investigation of the accident or incident).

The decision to launch an investigation can be made immediately after the event is reported or after all relevant facts necessary for making the decision to launch the investigation of an accident or incident are collected.

After an investigation has been launched, not later than seven days from the decision, Department for investigations of railway traffic accidents and international cooperation shall inform the Ministry of Construction, Transport and Infrastructure and The European Union Agency for Railways.

Upon completion of the investigation, the Centre for Investigation of Accidents in Transport will publish the final report and safety recommendation(s). The report form is in accordance with the Rulebook on the content of the final report on investigations of accidents and incidents in railway traffic ("Official Gazette of RS" No. 89/15).





## **4. INVESTIGATIONS**

Since the Department for Investigations of Rail Traffic Accidents and International Cooperation has become operational on June 26, 2017, in 2016 no investigation was launched.

## **5. SAFETY RECOMMENDATIONS**

Since the Department for Investigations of Rail Traffic Accidents and International Cooperation has become operational on June 26, 2017, in 2016 no safety recommendation was issued.