WORLDWIDE AIRPORTS LAWYERS' ASSOCIATION MAJOR LOSSES/POST ACCIDENT ISSUES

19 SEPTEMBER 2014

GARRETT PENDLETON, AIG
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Outline

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oContext

×Asiana (OZ) 214

- ×MH370
- ×MH17

×GE222

WALA 2014

oFamily assistance

- × Applicable regimes
- × Common themes

Buenos Aires.

Sept 17-19, 2014

× The airport perspective

oSocial media – new challenges

Host

Asiana (OZ) 214

- Boeing 777-200 from Seoul, S Korea to San Francisco, USA
- •307 on board, of which 291 passengers
- •3 fatalities and multiple injuries

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• 9 nationalities on board, majority of which were Chinese with others from South Korea, USA and elsewhere

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MH 370

Boeing 777-200 from Kuala Lumpur to Beijing
239 on board, of which 227 were passengers
All remain missing, presumed deceased
14 nationalities on board, majority of which were Chinese with others from Malaysia, Indonesia, Australia, Europe and USA

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MH17

Boeing 777-200 from Amsterdam to Kuala Lumpur
298 on board, of which 283 were passengers
All were killed in the incident
10 nationalities on board, majority of which were Dutch with others from Malaysia, Australia, Indonesia and UK

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•ATR 72 domestic flight

•58 on board of which 4 were crew

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•10 passengers surviving, with the remainder being killed

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- Ground injuries in addition
- Victims largely Taiwanese

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Family assistance

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oICAO Policy (2013)

oUS Family Assistance Legislation

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oEU Regulation 996/210

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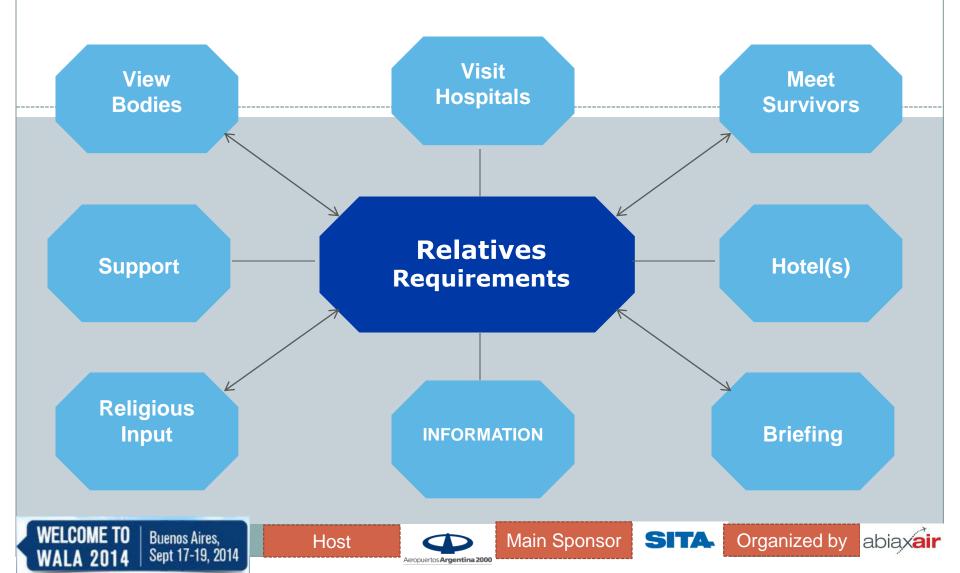
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NEI COME

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Other national instruments

Issues for families



Family Assistance – common themes

• Information – what happened; whereabouts of victims and remains; whereabouts of personal effects

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- Emergency response
- Travel/lodging to family assistance centre
- Site visit?
- Financial support
- Social, emotional and psychological support

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Progress of investigation

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Family assistance – the airport perspective

Less detailed than for airlines but...where most families will gather
ICAO:

Because airports are often where families and friends first gather to receive information, airports need to have plans to provide assistance to accident victims and their families, with focus on immediate care and support following an accident....all airports associated with the operation may need to be involved in the provision of family assistance including the airport of departure, destination airport and alternate airports

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- Pre-planning critical;
- Prior co-ordination with airlines, governmental and quasi-governmental authorities, police and other agencies
- Privacy for families and protection from media

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- Access to medical support for all injuries...
- Language capability?

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Airport – other challenges

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Wreckage Moving it and when;

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• Re-opening runway?

• Preservation of evidence...

NB. Airport Insurers' perspective/role?

Host

Social media – new challenges





Effect of Global Media Coverage

• Media coverage of an organization's activities during crisis can have a large effect on the organization's image and reputation



Effect of Global Media Coverage



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- 24 hour news cycle and worldwide media coverage can have significant impact during immediate accident response
- Airlines and other aviation entities must have a crisis response plan in place before a disaster occurs
- Airline (and other) officials without accident experience may underestimate the intense scrutiny of the investigators and the media

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Effect of Global Media Coverage



- Accident investigators and their agencies are political organisations and they also operate with an eye toward the media impact
- Investigations are driven by a combination of technical and political factors
- It is important to have a cohesive, disciplined and experienced team working on the accident investigation
- Establish procedures for coordinating and knowledgeable dealing with the media

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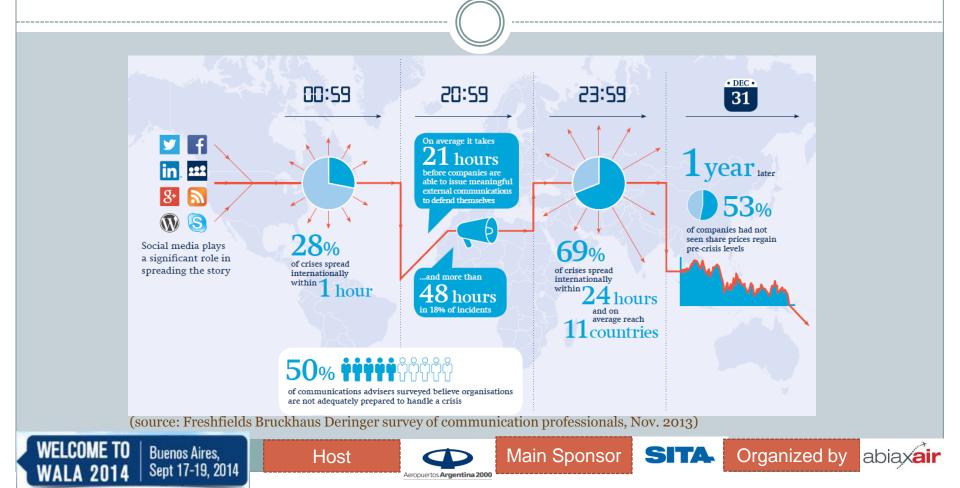
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Social Media & Aviation: Containing a Crisis

 More than one-quarter of crises spread to international media within one hour and over two-thirds within 24 hours



Asiana Flight 214 (6 July 2013): Lessons in Crisis Management



• In the aftermath of Asiana Airlines crash at California's San Francisco airport on 16 July 2013, Asiana was severely criticized for the way they handled their response – the criticism stemmed largely from their silence hours after the crash and the lack of information made available to support victims of the crash and their families

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Asiana Flight 214: Lessons in Crisis Management The Aftermath – Social Media takes over:

 Just 30 seconds after the official time of the crash, Google employee Krista Seiden posted the first picture on Twitter



Krista Seiden

👻 🎽 Follow

Omg a plane just crashed at SFO on landing as I'm boarding my plane pic.twitter.com/hsVEcVZ2VS

◆ Reply 13 Retweet ★ Favorite ••• More



1			02	N: 69	154	1,447
			101	2	FAVORITES	RETWEETS
		<u> </u>	(8)	200	FAVORITES	RETWEETS

3:29 PM - 6 Jul 13

The Aftermath – Social Media takes over:

• At 11:45am a survivor posts a photo of the evacuation on Path, **Facebook and Twitter** David Eun

15m

25m



David Eun @Eunner

Lots of activity here. Friends, pls don't call right now. I'm fine. Most people are totally calm and trying to ... - path.com/p/3NNIBm Expand



David Eun @Eunner

Fire and rescue people all over the place. They're evacuating the injured. Haven't felt this way since 9/11.... - path.com/p/4gzmia Expand



David Eun @Eunner 34m I just crash landed at SFO. Tail ripped off. Most everyone seems fine. I'm ok. Surreal... (at @flySFO) [pic] - path.com/p/1lwrZb View photo

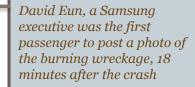


Follow

I just crash landed at SFO. Tail ripped off. Most everyone seems fine. I'm ok. Surreal... (at @flySFO) [pic] - path.com/p/1lwrZb

🛧 Reply 🔁 Retweet 🔺 Favorite 👓 More





David Eun

View on web

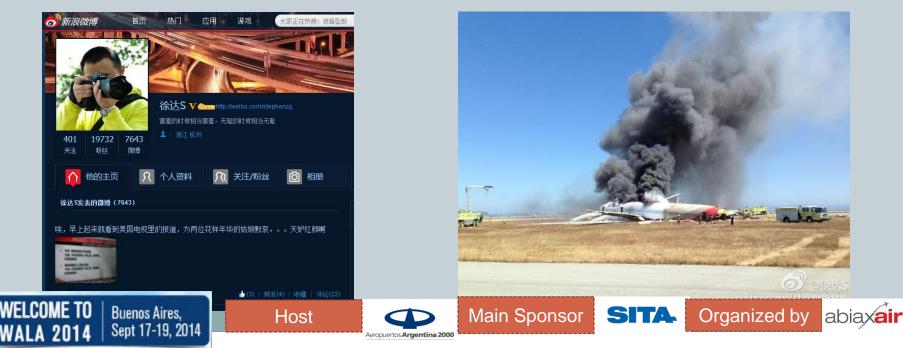
2:13 PM - 6 Jul 13



Flag media

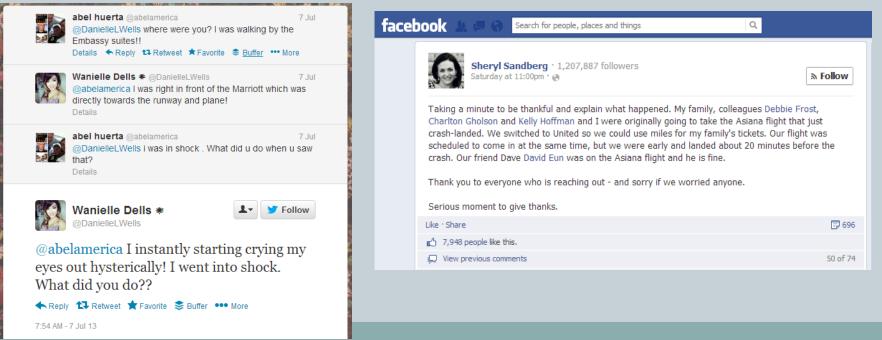
The Aftermath – Social Media takes over:

•Multiple posts following on social networking sites, including Weibo, QQ and Xiaonei (China's social media sites) from eyewitnesses, survivors, media and the general public



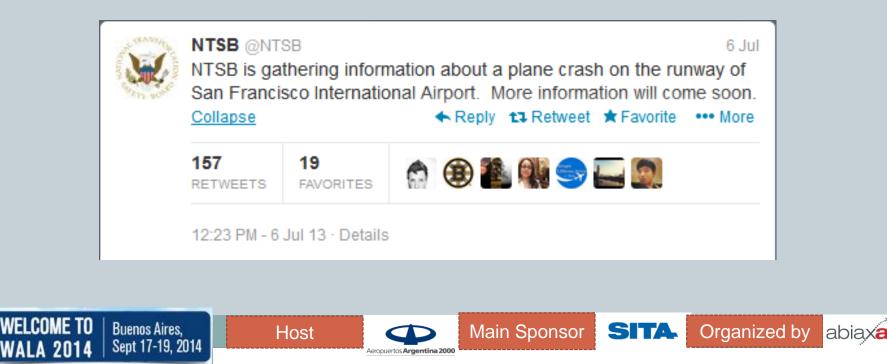
The Aftermath – Social Media takes over:

• Passengers at SFO start connecting over Twitter hashtags and conversations ensue; meanwhile Facebook posts go viral



The Aftermath – Social Media takes over:

• The NTSB posts a tweet within 60 minutes



The Aftermath – Social Media takes over:

• Boeing issues a well-wishing statement via Twitter two hours after the accident

The Boeing Company @Boeing · Jul 6

RT @boeingairplanes: Our thoughts are with everyone affected by today's incident at SFO. We stand ready to assist the NTSB. #Boeing.

abiax



- More than 44,000 tweets about the Asiana accident were within the first 30 minutes and Twitter traffic grew to more than 52,000 tweets within the first 60 minutes
- SFO's website crashes within minutes and remains unavailable for the first 12 hours; SFO later redirects traffic to Twitter feed or call center

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unavailable due to	o a high volume	
www.flysfo.c	om is unavailable due to a high volume of traffic.	
Two runways have reope and departure informatio	ned. Many flights have been diverted to other airports. Flease check with airlines for updated arrival n.	
For additional assistance	phone 1.800.I.FLY.SFO	
or follow us on Twitter at	titp://twitter.com/ttysfo	
n the meantime, limited	information on the following topics is available:	
	web site address and contact information	
shopping		
 food & beverage services 		
amenities		
oround transportation		
parking		
 security 		
For additional assistance	, phone 1.800.I.FLY.SFO	

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The Aftermath – Media Reaches Out and Reacts to Asiana:





- Though heartfelt and empathetic, Asiana's statement was brief and uninformative, offering no tangible information, and included no direction on when or how more information will be forthcoming
- Hours after the crash Asiana distributes its first official press release

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The Aftermath – Asiana Speaks:

Information for Incident Involving Asiana Flight OZ 214

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Contacts

Press Release

Press Release

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Briefing

Press Release for Incident Involving Asiana Flight OZ 214 - July 7, 2013 06:30 (Kor. Time)

The following information has been confirmed.

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Asiana Airlines flight OZ214 (Aircraft Registration HL7742) departed Incheon International Airport on July 6, 2013 at 16:35 (Korea time) bound for San Francisco. Only July 7, 2013 at 11:28 (Local ti me) an accident occurred as OZ214 was making a landing on San Francisco International Airpo rt's runway 28.

There were a total of 291 passengers (19 business class, 272 travel class) and 16 cabin crew a board. The majority of the passengers were comprised of 77 Korean citizens, 141 Chinese citizens, 61 US citizens, 1 Japanese citizen, etc. for a total of 291 people.

Asiana Airlines is currently investigating the specific cause of the incident as well as any injurie s that may have been sustained to passengers as a result. Asiana Airlines will continue to cooperate fully with the investigation of all associated government agencies and to facilitate this cooperation has established an emergency response center at its headquarters.

At this point no additional information has been confirmed. New developments will be announce d as more information becomes available.

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"It took three days for Asiana Airlines to dispatch its chief executive and a team of staffers to Saturday's plane-crash site at San Francisco International Airport, where the executive was set to apologize, meet with federal officials and call for a thorough investigation." Wall Street Journal (19 July 2013)

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List

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Planning, Preparation and Practice:

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- A mechanism should be in place to activate and operate a 24/7 Helpline for victims, relative and friends Asiana had not planned for any spokespeople outside of Korea (and even turned down external offers of help in the wake of the San Francisco crash)
- To operate globally, an airline must have the capability to communicate across time zones and put in place the necessary steps in the form of a *well-rehearsed and regularly updated crisis management plan and crisis communications plan to achieve this ahead of a crisis*

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Regulatory Compliance

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- Investigation reports by U.S. federal transportation officials suggested Asiana failed to meets its legal obligations to help families and failed to meet the assurances stated in its own 'family assistance plan' filed with the U.S. Department of Transportation (DOT).
- Asiana's assistance plan stated it would keep its emergency contact information current and post a public information number within an hour (yet, the first record of a publicly circulated number was just over 3 hours after the crash but it was to an automated Asiana reservations line)

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The following day, the airline posted a different number, which it than changed several days later
 Asiana Airlines @AsianaAirlines
 US toll-free number will be changed. US: 855-422-7214 (until July)



[ATTN] We have a new contact number for any inquiries regarding the incident of flight OZ214 on Saturday, July 6th.

Please contact 1-855-422-7214 for better assistance.

Thank you for your continued support, patience and understanding at this time.

Like · Comment · Share

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1	Asiana Airlines @AsianaAirlines US toll-free number will be chai 12,2013) \rightarrow 866-528-8241 (Stai Expand	rting July			-
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ACANA ARCRES	Asiana Airlines @AsianaAirlines Statement from the July 8th Pro j.mp/12xnzyX	ess Conf	erence on (OZ214 Acci	8 Jul dent:

Expand

Regulatory Compliance

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• Information contained in the plan was out of date and the investigation suggested Asiana's Family Assistance plan was last updated in 2004

Lesson: A regularly updated, well rehearsed and exercised crisis plan is vital to ensure it will work in practice and meet regulatory requirements

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Timeless Communication:

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• Communicate, and communicate as soon as possible even if all the facts are not known

 Social media is an invaluable channel of communication to reach your audiences – used properly by Asiana it would have enabled the airline to take an element of control as the recognized point of credible information in support of the crash victims, their families, friends and all interested parties

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A Responsibility to Provide Support



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- In February 2014, Asiana Airlines was fined \$500,000 for inadequate aid to crash victims' families
- It was the first time the DOT issued a fine under a "family assistance plan" law
- According to the DOT, Asiana failed to widely publicize any telephone number for family members

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(CNN) -- The U.S. Department of Transportation on Tuesday fined Asiana Airlines \$500,000 for failing to assist families following the crash of Asiana flight 214 in San Francisco in July.

The Korean airline was slow to publicize a phone number for families, took two full days to successfully contact the families of three-quarters of the passengers and did not contact families of several passengers until five days following the crash, authorities said.

The half-million-dollar penalty is the first time the DOT has issued a fine under a 1997 law that requires airlines to adopt and adhere to a "family assistance plan" for major accidents.

Three of the 291 passengers were killed and scores were injured when the Boeing 777 struck the seawall at San Francisco International Airport and tumbled down the runway.

"In the very rare event of a crash, airlines have a responsibility to provide their full support to help passengers and their families by following all the elements of their family assistance plans. The last thing families and passengers should have to worry about at such a stressful time is how to get information from their carrier." Transportation Secretary Anthony Foxx

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The Accidental Spokesperson May Not Always Be Right

If Asiana had been participating online during the crucial moments after the crash, it could have corrected these facts

- While Krista Seiden happened to be the first person to broadcast information within 30 seconds of the crash, not all her information was accurate (for example, the flight did not arrive from Taipei)
- Soon after, some journalists misinterpreted that 60 unaccounted for passengers were actually fatalities

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Krista Seiden @kristaseiden 7 Jul Hearing reports the #planecrash at #SFO is an Asiana 777 in from Taipei. Lots of emergency respondents onsite. pic.twitter.com/6FNXRcHm10 ■ Hide photo Reply 13 Retweet ★ Favorite Buffer •••• More



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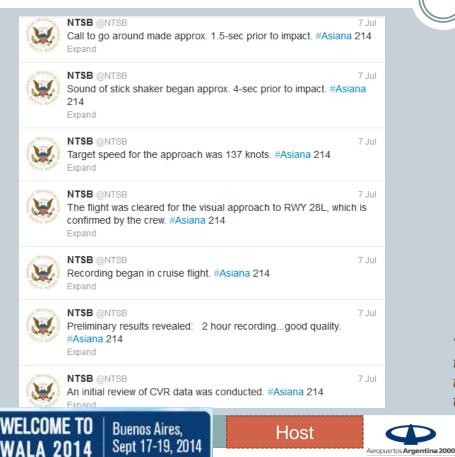
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FAVORITES

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A New Trend?

• The NTSB was both praised and criticized for its unprecedented disclosures of the Asiana crash via Twitter and YouTube





"The speed with which the US safety investigator the NTSB released factual data from the flight recorders retrieved from the crashed Asiana 777 this morning has stunned the aviation world."

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Malaysia Airlines 370 (8 March 2014):

 On 8 March 2014 Malaysia Airlines Flight 370 with 227 passengers and 12 crew on board went missing at about 1:30am



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 Malaysia Airlines posted a "dark site" as a main source for updates, activated hotline numbers, used hashtags and shortlink

malaysia 🤧	🖶 Contact 🛎 Sign Up 🖋 Login 📃 🖳 HQ 💽 🕨	
BOOK & PLAN	DEALS MH EXPERIENCE DESTINATIONS ENRICH BOOK HOLIDAYS MANAGE CHECK-IN	
Take me to oneworld Deals of the Day eNewsletter MHmobile Flight Status E-Timetable Chef on Call	UPDATES ON MALAYSIA AIRLINES FLIGHT MH370 Read more here > From To Departure 21/03/20: Return 29/03/20: Children ? Infants ? 1 0 0 0	#MASalert Shortlink pit.ly/MH370updates
Travel ideas • Beach Holidays • City & Nightlife • Culture & Heritage • Diving • Free & Easy • Nature & Adventure	More than 9 passengers? Cabin Economy Class Coupon Find Flights > Dê xem bảng tiếng Việt, vui lòng nhấp vào dây	
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• A pre-approved "dark site" design, its contents and succeeding updates are meant to ensure that the company in crisis is in control of the communication flow and messaging during the crucial hours or days

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A "dark site" is a symbolic graying out and removal of all promos deemed insensitive and a onestop resource for information



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• Malaysia Airlines responded and corrected misinformation, speculation, rumors fairly quickly, made clarifications when necessary and ignored things that needed to be ignored consistently across all social media channels

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Malaysia Airlines @MAS · Mar 22 [#MASalert] Clarification on the lithium ion batteries carried onboard MH370 - bit.ly/MH370updates

🛧 🛟 138 🕇 69 🚥

Malaysia Airlines @MAS · Mar 21 [#MASalert] MH370 Flight Incident Press Briefing Update for 21 March 2014 - bit.ly/MH370updates

🛧 🛟 157 🛧 93 🚥

" Malaysia Airlines @MAS · Mar 20

[#MASalert] The multinational effort to find MH370 continues overnight in both the Northern and Southern corridors bit.ly/MH370updates

101 •••

___ Malaysia Airlines @MAS · Mar 19

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[#MASalert] We will proactively provide updates to MH370 family members through our Family Support Centre - bit.ly/MH370updates

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129 🗙 82 🚥

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• The airline showed empathy for victims families, relatives and friends; established a single spokesperson

Malaysia Airlines @MAS · Mar 27 [#MASalert] The well-being and feelings of #MH370 family members have always been close to our hearts and minds - bit.ly/MH370updates

152 ± 85

___ Malaysia Airlines @MAS · Mar 25

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We're deeply saddened by the loss of #MH370. Our prayers & condolences are with the families in this moment of sorrow

OUR DEEPEST CONDOLENCES

We are all deeply saddened by the news of MH370. Our sincerest condolences go out to the loved ones of the 239 passengers, friends and colleagues. Words alone cannot express our enormous sorrow and pain. They have left us too soon, but they will never be forgotten.

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Malaysia Airlines @MAS·Mar 24 We humbly offer our sincere thoughts, prayers

1 905

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and condolences to everyone affected by #MH370 tragedy - bit.ly/MH370updates

Meeting families of victims of MH370. Pic on B.com/HishammuddinH2O, March 29, 2014

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MH370 Case Study: What Could Have Been Done Better

- Malaysian Airlines was not quick to update all channels of social media
- Some information on the passenger manifests kept changing, no alerts were made of edits
- On some days there were no tweets at all even though twitter followers increased 48% from 7 March - 14 April; information should continuously be updated
- The airlines informed families via SMS text message about loss (social media should not replace the human voice)

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The text msg Malaysia Airlines sent to inform Chinese #MH370 families about flight's fate ending in S Indian Ocean

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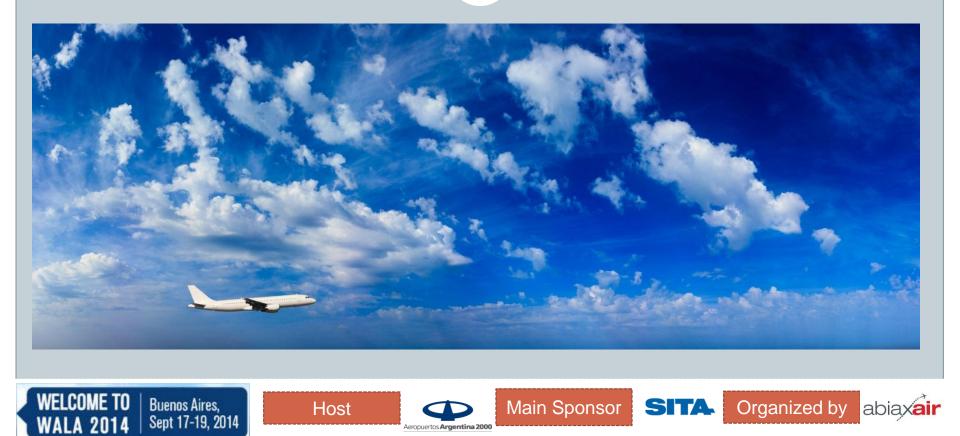
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10:03 AM - 24 Mar 2014

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Social Media Policy and Strategies -IATA Best Practices/Recommended Guidelines



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Social Media & Crisis Management: IATA Best Practice Principles

• Be proactive to minimize negative or hostile media coverage

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- Be quick to establish yourself as the best source of information
 - With Social Media channels like Twitter and YouTube, there are many examples of eyewitnesses posting comments, photos and videos of aviation accidents within minutes of an event
 - If you are involved in an accident or major incident, you should aim to issue a brief "holding statement," confirming your involvement, as quickly as possible
 - The statement should also be posted on your website and used as a basis for initial internal bulletin to employees and for communications
- Be honest to establish and maintain credibility; acknowledge the facts (if you have been involved in a major accident, do not try to pass it off as an "incident" or an "operational issue")

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Social Media & Crisis Management: IATA Best Practice Principles

• Express regret

Understand the audiences – they include:

- o Survivors, family and friends of those on board
- Employees (airline pilots or cabin crew)
- Customers (individual/corporate/loyalty program members)
- Investors and financial markets

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- Insurance brokers and underwriters
- Business partners, codeshare/alliance/franchise partners
- Investigating bodies (technical/judicial/criminal)

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- Family advocates and support groups
- Regulatory agencies as well as local, provincial and national governments

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Social Media & Crisis Management: IATA Best Practice Principles

- Be clear about what you can and cannot provide (ensure that your employees are aware they should say nothing to the media or stakeholders outside of the investigation)
- Be consistent you should ensure your messaging is consistent across communication channels, such as:
 - oCompany website
 - o Employee intranet

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- Individual or group briefings (e.g., for families, employees, unions, shareholders, etc.)
- •Personal letters from the company

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- oCustomer communications
- Communications from company representatives (e.g., insurers, attorneys)
- Social Modia platforms (e.g., CEO blog, company Facebook page)

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- Build your social media presence during "peacetime" not during a crisis see later
- Identify the media platforms you wish to use during a crisis to ensure consistency with all communication channels
 - Any inconsistency in your message or approach may be noticed and commented on by online audiences and the news media

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- Be ready to issue your first online alert within 15 minutes of notification
- Post any updates on all online platforms

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- Monitor updates on other platforms (such as, airport, investigating body)
- Remind your employees about your Social Media policy



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- Carefully coordinate social media updates to ensure consistency
- Develop a disaster response plan addressing the role of social media

• Pre-approve generic "Tweets"

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o Identify key decision-makers/hierarchy

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• Include social media team in disaster planning

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• Best Practice for using your website:

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• Prepare a "dark site" during "peacetime" (this is a special site which can be activated almost immediately (i.e. within minutes) after notification of an accident and replaces the normal home page)

Only activate the "dark site" in the event of an accident with fatalities

• The "dark site" should be branded very simply, without any colorful logos or images; it should display the latest statement on the situation and previous statements should be archived and available via a link

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•A link to the "normal" home page should be displayed for those customers who want to utilize the site for online bookings, etc.

- Other information you may wish to provide via the "dark site" includes:
 Background information on the aircraft and engine type
 Background information on the company and its operations
 Summary of previous accidents or serious incidents (where appropriate)
 Links to public statements and reports from the investigating bodies
 Summary of the company's response to date
 Video of statements made by the CEO or other senior executives
- Once the "dark site" is active, refer to it in all your press releases and other statements so audiences are directed there

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- Third party websites (such as family groups) often begin to set up and post as "official" sources of information about an accident the airline should be careful not to allow the name or URL of these websites to be associated or confused with the airline's own website
- While you cannot prevent third parties from creating websites, you can minimize potential for confusion by immediately registering any domain names which they might try to use, such as:

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- o Air XXXX accident.com
- o Air XXX Flight XXX accident.com
- o Flight XXX.com

A 2014

o Flight XXX accident.com

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o Air XXX accident information.com

IATA: Social Media Recommended Exercising the plan: Guidelines

- •A crisis communication plan should not be left on a shelf to gather dust as the moment you need it, the plan will be out of date, it will not be fully understood, and key players may no longer be with the organization
- •Review and update your plan at least every 6 months

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•At least once per year, conduct an exercise to test the plan •Exercise tests during all hours (*i.e.*, 2am) or with no-notice or when key players are absent to give a better indication of your true capabilities to be able to respond to a major crisis

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Thank you for listening





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