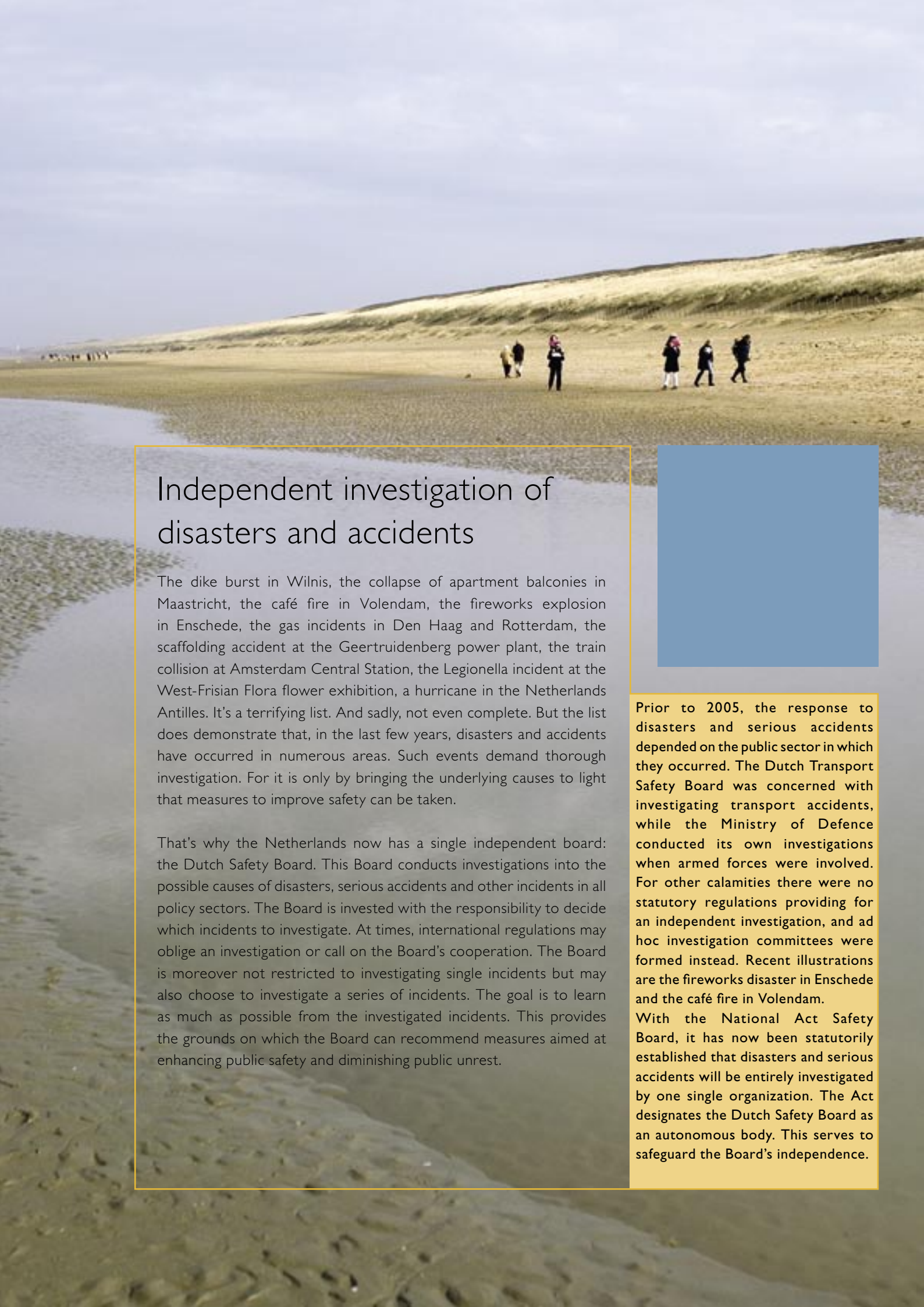




THE DUTCH
SAFETY BOARD

The prospect of a safe society





Independent investigation of disasters and accidents

The dike burst in Wilnis, the collapse of apartment balconies in Maastricht, the café fire in Volendam, the fireworks explosion in Enschede, the gas incidents in Den Haag and Rotterdam, the scaffolding accident at the Geertruidenberg power plant, the train collision at Amsterdam Central Station, the Legionella incident at the West-Frisian Flora flower exhibition, a hurricane in the Netherlands Antilles. It's a terrifying list. And sadly, not even complete. But the list does demonstrate that, in the last few years, disasters and accidents have occurred in numerous areas. Such events demand thorough investigation. For it is only by bringing the underlying causes to light that measures to improve safety can be taken.

That's why the Netherlands now has a single independent board: the Dutch Safety Board. This Board conducts investigations into the possible causes of disasters, serious accidents and other incidents in all policy sectors. The Board is invested with the responsibility to decide which incidents to investigate. At times, international regulations may oblige an investigation or call on the Board's cooperation. The Board is moreover not restricted to investigating single incidents but may also choose to investigate a series of incidents. The goal is to learn as much as possible from the investigated incidents. This provides the grounds on which the Board can recommend measures aimed at enhancing public safety and diminishing public unrest.

Prior to 2005, the response to disasters and serious accidents depended on the public sector in which they occurred. The Dutch Transport Safety Board was concerned with investigating transport accidents, while the Ministry of Defence conducted its own investigations when armed forces were involved. For other calamities there were no statutory regulations providing for an independent investigation, and ad hoc investigation committees were formed instead. Recent illustrations are the fireworks disaster in Enschede and the café fire in Volendam.

With the National Act Safety Board, it has now been statutorily established that disasters and serious accidents will be entirely investigated by one single organization. The Act designates the Dutch Safety Board as an autonomous body. This serves to safeguard the Board's independence.

Who is the Board?

The Dutch Safety Board comprises the following permanent members:



Pieter van Vollenhoven (chairman) fulfills numerous public positions. He was previously the chairman of the Dutch Transport Safety Board, the Road Safety Board and the Rail Accident Investigation Board. He is moreover the founder and chairman of the International Transportation Safety Association.

His motivation to serve on the Board: "Independent investigation into the causes of accidents and incidents is a subject dear to my heart, and one for which I have long campaigned. Such investigations are the only investigations that can provide public insight into what exactly occurred in a disaster or accident, and why. That insight is important for the lessons it provides towards preventing it from happening again in the future. Independent investigation can thus contribute significantly to creating a safer society."

Ans van den Berg was mayor of Bergen op Zoom and municipal executive of Den Haag. She also served as member of the Advisory Council for Public Administration (Raad voor het Openbaar Bestuur) and the Investigation Committee Volendam Calamity (Commissie Onderzoek Cafébrand Nieuwjaarsnacht).



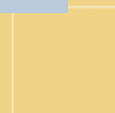
Joost Hulsenbek was Procurator-General at the Public Prosecution Department. From 1991 to 2002 he served as vice-chairman of the Dutch Rail Accident Investigation Board and as member of the Rail Chamber of the Transport Safety Board.



Ferdinand Mertens has held several positions within the government. As Inspector-General of the Ministry of Transport, Public Works and Water Management he supervised shipping, aviation, road transport and national water management works.



Koos Visser previously served as member of the Transport Safety Board. He also served as advisor to Royal Dutch Shell on issues of safety, health, environment and social responsibility.



The Dutch Safety Board

The Dutch Safety Board consists of the Board and the investigation bureau.

The Board

The Board consists of five permanent Board members. They represent the Board to the general public. The Board members are thoroughly familiar with safety matters, and their background in a variety of public positions has equipped them with a wealth of experience in areas of governance and public responsibility. They now offer their knowledge and experience in the service of independent and professional investigation.

The small number of permanent Board members facilitates rapid decision making as to whether an event should be investigated, thereby enhancing the Board's operational efficacy.

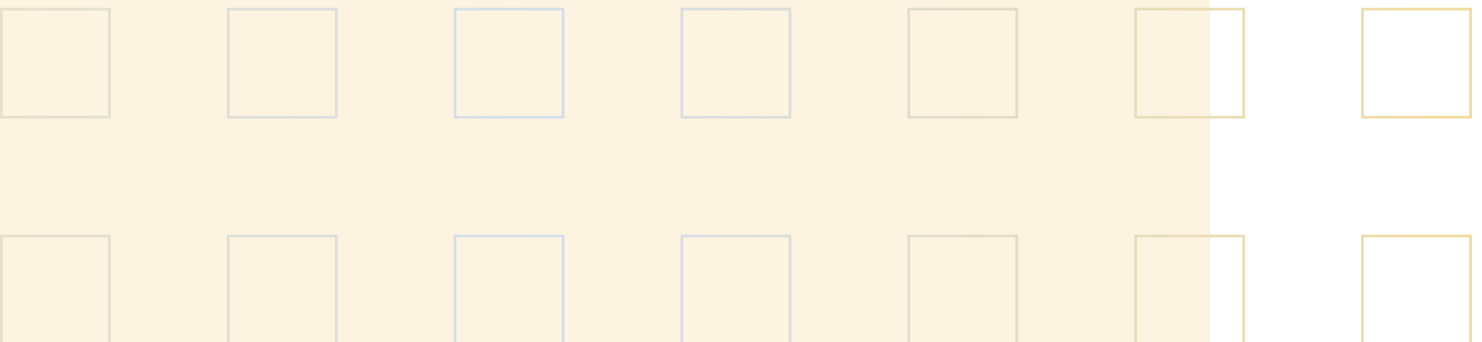
The permanent Board members are complemented by the special Board members. The special Board members possess specialist knowledge with which to assist the permanent Board members in conducting an investigation. This applies to the entire operational process: from the selection of incidents to be investigated to drafting the report and the possible re-opening of an investigation due to new facts coming to light. The expertise of the special Board members reflects the broad scope of the Board's operational field.

The Safety Board appoints one or more Board committees to support and assist its investigations. These committees shall also monitor developments in safety in the diverse operational sectors.

The bureau

The Dutch Safety Board is assisted by a professional bureau consisting of several departments. The heads of these departments together compose the management team, which in turn is headed by the General Secretary of the Safety Board.

The bureau disposes of all the expertise required to conduct high-quality investigations, to formulate investigation reports and to issue recommendations. If necessary, supplementary research can be enlisted.



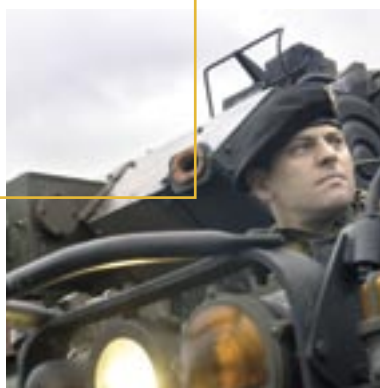


The operational sectors

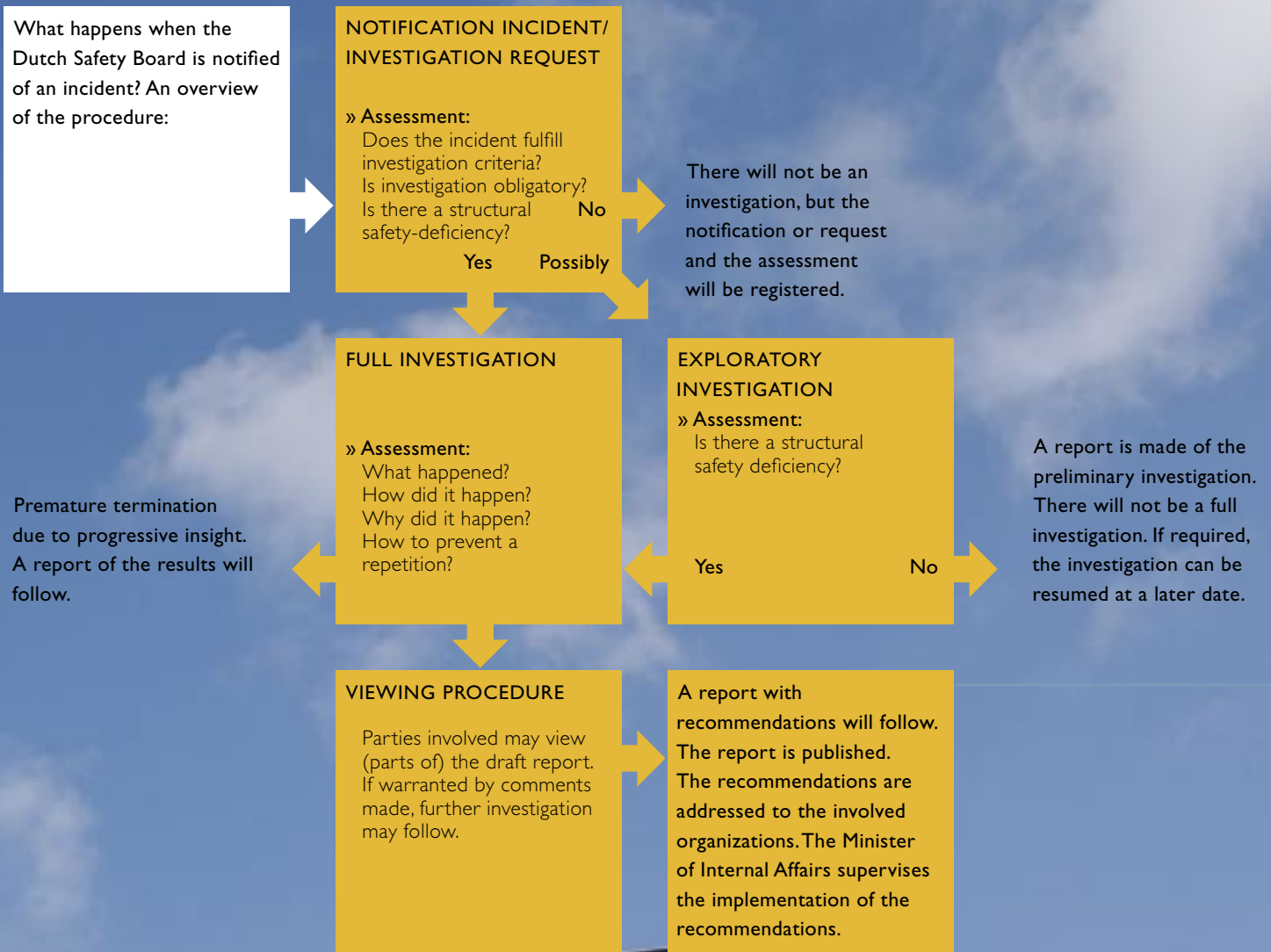
Establishing a professional investigative organization, capable of operating in a broad range of areas, is not achieved overnight. Following its inception, the Safety Board can start by focusing on structural safety deficiencies in the sectors of transport and defence. In the meantime, the Board can gradually expand its areas of operation, starting with industry and trade, crisis management and aid provision. In the event of a disaster or serious incident, the Board shall act upon it, regardless of the sector in which it occurs.

Specific operational sectors of the Safety Board are or shall be:

- Aviation;
- Shipping;
- Rail transport;
- Road transport;
- Pipelines;
- Defence;
- Industry and trade (including industrial, mining and nuclear accidents);
- Crisis management and aid provision (including aftercare);
- Healthcare (including food-chain contamination, epidemics among humans or animals);
- Nature and environment (including flooding, extreme weather conditions and earthquakes, environmental pollution).



The investigation procedure



Investigation

The Safety Board investigates disasters and incidents in all policy areas. This promotes an understanding of the interrelationship between different events, enabling improved measures to prevent a repetition of such events in the future.

The Safety Board conducts the investigation without regard to political and economic interests. The Board independently decides whether an investigation is called for, it conducts the investigation as it sees fit and publishes the results. In a number of cases, the Board is obliged to conduct an investigation, for instance in case of a civil or military aviation accident that is subject to international regulations.

Public order disturbances, law enforcement by competent authorities and the conduct of armed forces in a war situation fall outside the Board's investigative competence.

How does the Board operate?

The Safety Board identifies structural safety deficiencies on the basis of investigations into (series of) incidents and accidents.

The Board is also equipped to investigate incidental large-scale crises and disasters, for instance an environmental calamity or an epidemic. Due to the exceptional nature of such investigations, additional capacity and/or specific expertise may have to be enlisted.

Following an incident, various concerned parties have the responsibility to conduct an investigation. It may occur that the Board as well as the concerned inspectorates, municipalities or the Public Prosecution Department decide to launch an investigation. In such an event, the Board will form the central conductor of the investigation, naturally in close consultation with all the parties involved. To prevent the Board, the Public Prosecution Department, the police and the inspectorates from obstructing each other's investigation activities, clear arrangements will have to be made beforehand.

In exercising its investigative competences, the Board is free to determine the scope of the investigation. The Board also decides on the investigation methodology and documentation, the required expertise and the safeguards in terms of quality and independence. The Board will investigate what it judges to be the most relevant aspects of an incident. This can include both direct and indirect causes as well as any event before, during or after the incident.

The Safety Board may also decide to limit the investigation to those aspects that it believes will deliver most results, or to conduct only an exploratory investigation.

The diagram opposite outlines the investigation procedure.

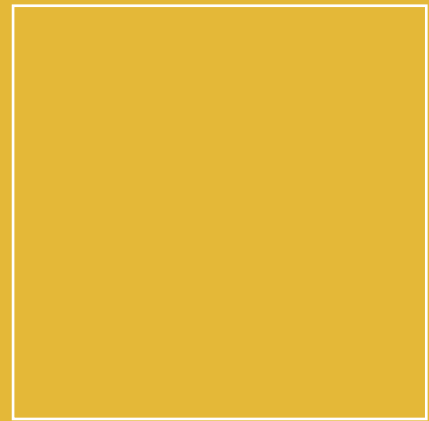
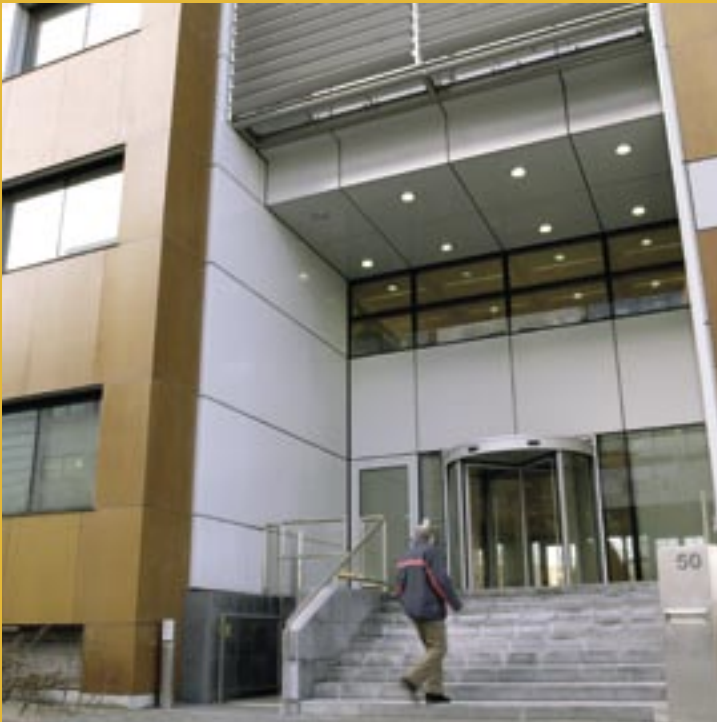
Recommendations

Following the investigation, the Board publishes an investigation report that has previously been verified by the involved parties. This report generally offers recommendations for measures to be taken in order to improve the safety situation. The recommendations are addressed to organizations bearing responsibility and having the capacity to implement measures. Aside from responsible ministers, the recommendations can thus also be addressed to other parties such as governance bodies, business corporations and community entities.

Organizations to which the recommendations are addressed have a maximum period of one year in which to report how they intend to respond to the recommendations and what measures they may or will take.

The Board will submit a copy of the recommendations to the Ministry of the Interior and Kingdom Relations. The Ministry can thus continue to monitor the concerned organizations, particularly regarding their implementation of the recommendations. This creates a basis for introducing measures, statutory or otherwise, that contribute to a safer society.





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