

**Crash of the Polish Government Aircraft Tu-154M, PLF 101
April 10th, 2010, Smolensk, Russia**

**Remarks Of the Republic of Poland
as the State of Registration and State of Operator
on the draft Final Report regarding
the investigation into the accident of the Tu-154M tail number 101 aircraft which
occurred on 10 April 2010 drafted by the Interstate Aviation Committee (IAC)**



‘Comments of the Republic of Poland’

A key document that demonstrates the scale of errors that occurred in the process of establishing the causes of this air crash.

It was made available to world opinion thanks to the families of the victims

Comments of the Republic of Poland

- **History of the document**
- **Content**
- **Political pressure associated with the Comments**
- **The Polish Government's duty to make its Comments available in other languages carried out by the Katyn 2010 Families Association**
- **Poland's Comments are still significant and important**

Comments of the Republic of Poland

History of the Document

The Polish Comments were written by specialists from the Committee for the Investigation of National Aviation Accidents to formulate Poland's position regarding the draft Final Report prepared by Russia. The Polish Comments, prepared in Polish and Russian and counting 148 pages, were submitted to the Russians in December 2010.

- The Polish Comments called for reformulation of the causes and circumstances of the Smolensk crash.
- Russia, by publishing its final report in January 2011 ignored the **key points** raised by the Polish Comments including objections as to incorrect and incomplete data in the Russian report.
- There was no English version of this document The Russian language version of the Polish Comments was not posted on the internet.

Comments of the Republic of Poland

Contents of the document

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➤ **Part 2. Main Body**

➤ **Part 3. Keynote Summary**

Comments of the Republic of Poland

Key Opening of the document

- A lack of cooperation and breaking of regulations by the Russian commission. (20 pages of tables show lack of cooperation)
- **170 out of 212** requests for either information or documents made by the Polish side **are marked** *'not received'*, *'not handed over'*, *'not answered'* *'not explained'* *'not made available'*.
- Documents and inquiries of key significance for explaining the cause of the crash not provided

Minutes of survey of the place of the accident.	Not received
Drawing of the place of the accident	Received – May 2010
Film material prepared at the place of the accident immediately after the disaster	Not received
Film material documenting the inspection and activities carried out following the disaster.	Not received
Photographic documentation from the place of the accident prepared immediately after the disaster	Not received
Photographic documentation prepared of the inspection and activities carried out at the place of the accident.	Not received
Drawing of the place of the accident	Received – May 2010
Photographic and film documentation of the aircraft wreck from the place of the accident documenting the movement of the debris.	Not received
Photographic and film documentation of the aircraft wreck from the place of the accident documenting the progress of the aeroplane wreck reconstruction.	Not received
Photographic and film documentation documenting the location and technical state of the aerodrome equipment – including lighting, BRL and DRL.	Not received
Film and photographic materials collected by the informational agency at the place of the accident.	Not received
List of expertise of technical equipment, systems and devices used on board conducted.	Not received
List of expertise of technical equipment, systems and devices used on board conducted in progress including the completion date thereof.	Not received
List of planned expertise of technical equipment, systems and devices used on board conducted including starting and ending dates.	Not received

Polish Comments:

The Russian Report has Errors in Methodology

Polish experts demonstrated that the Russian report was written using incorrect methodology.

Remarks of the Republic of Poland on the draft Final Report by IAC on the investigation into the accident involving aircraft Tu-154M tail number 101:

1. Factual information

Having read the draft Final Report prepared by IAC (hereafter the Report), the Polish party asserts that the specific chapters of the Report are not written according to the requirements in the document **ICAO Doc 9756 Manual of Aircraft Accident and Incident Investigation, part IV Reporting**. According to the method of preparing reports of investigations into aircraft accidents, described in the above document, chapter 1 **Factual information** should not contain evaluation and analyses, instead these elements should be included in chapter 2 **Analysis**.

Polish Comments:

The Russian report contains incorrect information and unfounded hypotheses

Remarks of the Republic of Poland on the draft Final Report by IAC on the investigation into the accident involving aircraft Tu-154M tail number 101

2. Analysis

The method of the analysis does not comply with the guidelines contained in the **ICAO Doc. 6920 (Manual of Aircraft Accident Investigation, IV edition)**. The analysis should be based on an assessment of **evidence and not hypotheses**. The analysis should examine the evidence already presented in Chapter **1. Factual Information**, and develop circumstances and situations that might occur. This should lead to the formulation of possible hypotheses that should be discussed in the context of the evidence gathered. Hypotheses unsupported with evidence should be rejected. **Hypotheses** may not be treated as **certainties**, and their proof may not rely on **hypothetical evidence**. The listed items are presented as statements in the form of axioms; and conditional expressions, such as likely, possible, etc., were not used even once.

On the basis of the above statements, the Polish side requests the reformulation of causes and circumstances of the Tu-154M aircraft accident as well as the preventive recommendations, upon taking into consideration of all of the factors that had an impact on the occurrence of the incident, including those described in the above document.

Polish Comments

Keynote Summary

Poland does not accept the suggested cause of the crash as expressed by the Russian Report because: :

- Poland stated that key 'areas of investigation were either completely ignored or conducted at a very basic level by the Russians'
- The Russian Report includes a number of statements in Paragraph 3.2 that are unacceptable to Poland because they lack evidence or are fabrications.
- The Russians 'completely ignored serious insufficiencies regarding the state of preparation of Smolensk airport which had an important influence on the level of flight safety'.

Polish Comments

Keynote Summary

- The Polish side also demonstrated that many of the documents put forward by the Polish side were not analysed in depth “ *...and Polish explanations were not taken into account. As a result, a series of statements in the Report do not reflect the truth. The above features have an influence on the credibility of the Report.*”
- According to the Polish side, some of the statements in **Chapter 3.2 Causes** are not supported with facts, or are not sufficiently motivated in further analysis and/or the analysis was conducted incorrectly.
- Therefore, “ *the Polish side states that the suggested causes and circumstances of the crash of the Tu-154m aircraft do not reflect all the elements that resulted in it occurring.*”

Political Ppressure to Ignore Polish Comments

- **December 2010**

‘Suggestions’ from the Russian President D. Miedviediev connected with findings of the Russian committee and the Poland’s comments.

In December 2011 before the publication of the final version of the Russian Report but after Poland had sent the ‘Polish Comments’ document and before the Polish parliamentary committee had concluded its investigations, the Russian president during a state visit to Poland said:

‘I cannot imagine the Polish and Russian findings on the catastrophe in Smolensk could differ in any way.’

Political Pressure

- **14th January, 2011**

In similar style in January 2011 after the publication of the Russian report, Russia's foreign minister S.Lavrov said the following about it:

"I am not going to comment individual statements. I will say one thing though. I believe any speculation on this issue to be unethical, even blasphemous. (...). I hope that the line of enquiry established during President Miedvedev's visit to Warsaw shall be adhered to." (...)

- **16th January 2011**

The Russian press agency INTER-TASS reported statements from persons close to the Russian government:

(...)Friday's telephone conversation between the presidents of Russia and Poland Dimitri Miedvedev and Bronisław Komorowski, put a final end to discussions surrounding the Report of the International Air Committee (IAC) regarding the air crash in Smolensk(...). (...). It is difficult to argue with the (IAC) Report. The matter was closed yesterday. (...). The IAC has given Poland 'absolutely all documents and materials' concerned with the crash of the Tupolev aircraft.

Political Pressure Pays Off

- *29th January 2011*

‘according to the interior minister Jerzy Miller, the document prepared by his commission ‘shall be bitter for Poland’.

The Miller Report

- July 29th, 2011 roku – publication of a Polish Report prepared under the Interior Minister, Jerzy Miller in Polish and English. The English version omits a number of key documents.
- General disappointment with the Report by Jerzy Miller.

Disappointing Miller Report

Questions asked by the press during the Press Conference called by the Interior Minister of Donald Tusk's Government regarding the Polish Report in August 2011.

'Please tell us which points from the 'Polish Comments' document have been addressed by the Russians?' (the missing 169 answers from the 222 questions originally raised).

The Interior Minister's reply:

"The list of unanswered question put forward to the Russian Interstate Air Committee (IAC) remains unchanged."

Poland's objections to the final Russian Report are still important and relevant.



- The Miller Report omitted key elements of the investigation as it was unable to verify or examine evidence or documents that remained unavailable.
- In the light of the Poland's Comments document, the Russian Report prepared by the IAC is not credible, whereas the Miller Report contradicts itself by stating that it is unable to reach a conclusion due to a lack of access to all the evidence.

ENGLISH VERSION „REMARKS OF THE REPUBLIC OF POLAND”

[HTTP://SMOLENSKCRASH.EU/DATA/REMARKS-OF-THE-REPUBLIC-OF-POLAND.PDF](http://smolenskrash.eu/data/remarks-of-the-republic-of-poland.pdf)

28/03/2012 Bruksela