Talks in UK over black box custody

MALAYSIA is in talks with international aviation authorities and experts on who has custody of the black box of missing Malaysia Airlines Flight MH370 once it is recovered.

Acting Transport Minister Datuk Seri Hishammuddin Hussein said Attorney-General Tan Sri Abdul Gani Patail was in the United Kingdom to discuss the matter with the authorities and aviation experts, including the International Civil Aviation Organisation (ICAO).

They would reach an agreement soon, he added.

"The A-G is in the UK discussing exactly that. The experts involved, including ICAO, are referring to international and domestic laws to determine the ownership of the black box once it is retrieved," he said after visiting the 14th Defence Services Asia (DSA) 2014 Exhibition yesterday.

The missing plane, a Boeing 777-200ER, was registered in Malaysia and is owned by Malaysia Airlines. According to ICAO, the country of origin of the aircraft, in this case, Malaysia, is obliged to launch an investigation and secure the wreckage.

However, since Malaysia has requested for Australia to lead the search operation in the southern Indian Ocean, the matter of which country has jurisdiction of the flight data recorder when it is found has to be dealt with.

Hishammuddin reiterated that the focus had always been on locating the plane first, which has been missing for 37 days since it disappeared from radar screens on March 8. Authorities are racing against time to locate the black box before its acoustic signals become too weak to be detected, as its battery has exceeded its 30-day lifespan.

Hishammuddin said none of the MH370 passengers had been fully cleared in the criminal investigation into the plane’s disappearance, clarifying an earlier statement by Inspector-General of Police Tan Sri Khalid Abu Bakar.

"The police are still investigating the possibility of hijacking, terrorism, and psychological and personal problems. At this point in time, there is nothing suspicious in the passenger manifest, but unless we find more information, specifically the data in the black box, I don’t think any chief of police will be in a position to say they have been cleared."

He said the authorities had no knowledge of any calls made from the plane’s cockpit.

Co-pilot Fariq Abdul Hamid was said to have made a phone call in mid-air, shortly before the aircraft disappeared. The issue was in the “realm of the police and other international agencies” investigating the case, Hishammuddin said.

"I don’t want to speculate on that out of respect for the families of the pilot and co-pilot, and I don’t want to disturb the investigations being done now, not only by the Malaysian police but also other intelligence agencies."

Later at a reception dinner to commemorate the opening of DSA 2014, Hishammuddin said Malaysia should always be prepared to face any threat, which may come at any time and in any shape or size.

He said although it was too early to talk about the lessons to be learnt from the MH370 tragedy, defence industry leaders needed to be steered into a mindset where one is never caught off-guard against any eventuality or circumstance.

He said to increase preparedness, no nation could do it alone because as much as any government would like to devote its resources to fortifying its defence capabilities, there was a need to balance it with other domestic priorities. He said incidents like MH370 were a reminder of the fragility of life and to value the ties that bound people.

"In tragedy, we forget our differences, and in our common grief, we strengthen our bonds." Additional reporting by Adrian David