

Charges to be dropped against Airbus, Air France over 2009 crash: legal sources

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The main association of victims' families called the decision an "insult to the memory of the victims"—here a Brazilian navy photo shows divers recovering a tail piece after the worst crash in Air France history

French magistrates investigating the 2009 crash of a flight from Rio de Janeiro to Paris in which 228 people died have ordered charges against

Airbus and Air France be dropped, legal sources told AFP Thursday.

Air France flight AF447 plunged into the Atlantic during a storm on June 1, 2009, after the plane's Pitot tubes—which enable pilots to monitor their speed—malfunctioned.

The sources said the magistrates had ordered that manslaughter charges brought against both Airbus and Air France be dropped.

Magistrates Nicolas Aubertin and Fabienne Bernard said they found that the accident resulted from a unique convergence of elements "which thus brought up evidence of previously unperceivable dangers."

As such, they said they could not ascribe fault to the companies in what appeared to be a case of pilot error.

Contacted by AFP, neither firm commented the judgment.

The main association of victims' families called the [decision](#) an "insult to the memory of the victims" and announced plans to appeal.

"How can one not think that this decision is guided by economic interests larger than those of justice," it added.

'Very disputable'

Olivier Morice, lawyer for several victims' relatives, indicated his "surprise" that at least Air France did not receive censure.

He added he would appeal a "very disputable" decision.

Nelsonfaria Marinho, chairman of the Brazilian relatives' association, said he was "indignant" at a ruling which he termed an "absurd and

corporatist decision."

An investigation remains ongoing in Brazil, 59 of whose nationals died in the crash, he added.

The crash was the worst in Air France's history and prompted much soul-searching about pilot training after it emerged that one of the co-pilots reacted incorrectly when the plane stalled after the speed sensors froze over.

It took two years to find the wreckage of the Airbus A330, which was eventually located by remote-controlled submarines at a depth of 3,900 metres (13,000 feet).

Magistrates later charged Air France and Airbus with manslaughter, but prosecutors in July recommended that only the airline face trial.

The prosecutors accused Air France of negligence for failing to train its pilots about how to react if the Pitot tubes malfunctioned, after several incidents involving the sensors in the months leading up to the [crash](#).

In such cases the magistrates leading the investigation have the final say over prosecutors, but the decision can be appealed by defence or civil plaintiffs.

Since the disaster, [pilot](#) training on dealing with unforeseen circumstances has been stepped up in France and several other countries.

Aircraft safety has been in the spotlight this year after two crashes involving the 737 MAX plane from US aircraft manufacturer Boeing, which has led to the global fleet of the aircraft being grounded as a result.

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