



International Civil Aviation Organization
Asia and Pacific Office

Fourteenth Meeting of the Asia Pacific Accident Investigation Group (APAC-AIG/14)

(Bangkok, Thailand, 7-9 October 2026)

Agenda Item 3: Update on ICAO AIG-related Requirements and Activities

ANNEX 13 AMENDMENTS

(Vice-Chairman, APAC-AIG)

SUMMARY

This paper presents an overview of Amendment 20 to ICAO Annex 13 — Aircraft Accident and Incident Investigation, adopted by the ICAO Council on 27 March 2026, effective 3 August 2026 and applicable 23 November 2028.

The Meeting is invited to note the changes and consider actions required for implementation.

1. INTRODUCTION

1.1 Amendment 20 to the International Standards and Recommended Practices, Aircraft Accident and Incident Investigation (Annex 13) was adopted by the Council at the fourth meeting of its 237th Session on 27 March 2026. The amendment will become effective on 3 August 2026, and applicable on 23 November 2028.

1.2 Amendment 20 arises from recommendations of the seventh and eighth meetings of the Accident Investigation Panel (AIGP/7 and 8) concerning unlawful interference and investigations in conflict-of-interest scenarios, evidential material, reporting requirements on ADREP and Final Report; and the fifth and seventh meetings of the Safety Management Panel (SMP/5 and 7) concerning the alignment of State safety programme (SSP) definition and provisions, stemming from the adoption of Amendment 2 to Annex 19.

2. DISCUSSION

2.1 Unlawful Interference and Conflict-of-Interest Investigations

2.1.1 The sole objective of an Annex 13 investigation is the prevention of accidents and incidents — it is not the purpose of this activity to apportion blame or liability. When an act of unlawful interference is either suspected or reported in accordance with Annex 17, only judicial or administrative proceedings can determine if such acts were unlawful. Nonetheless, there may still be lessons to draw for the improvement of safety, and the presence of a known or suspected act of unlawful interference does not release the responsible State from the obligation to institute an investigation and issue a Final Report.

2.1.2 The amendment provides clarification for the responsibility of the State of Occurrence when an act of unlawful interference is involved in an accident or serious incident, and provides guidance to support the State of Occurrence in conflict-of-interest scenarios to enhance the credibility of such accident investigations.

2.1.3 The amendment clarifies that the safety investigation should not be terminated or transferred in whole to judicial or aviation security authorities. Such transfer of the whole investigation may prevent obtaining lessons learned for improving aviation safety. The State accident investigation authority should continue its investigation in parallel but separate from judicial or administrative proceedings.

2.1.4 A new Attachment G has been inserted into Annex 13. It sets out measures that can be taken to reduce and limit actual or perceived conflicts of interest in investigations where the credibility of the investigation may be challenged. Each measure may be adopted alone or in combination with others. These include:

- a) delegating the conduct of the investigation to another State or regional accident and incident investigation organization (RAIO);
- b) inviting ICAO to appoint an observer, and/or inviting a third-party State to appoint an observer or accredited representative; and
- c) providing involved States, particularly those having suffered fatalities or serious injuries to their citizens, with an opportunity to observe selected aspects of the investigation process and receive relevant information and the contents of reports before they are made publicly available.

2.2 **Evidential Material**

2.2.1 A State shall ensure that any investigations conducted under the provisions of this Annex have unrestricted access to all evidential material without delay. The word "available" has been removed from the previous text, strengthening the obligation on States to provide investigators with access to evidential material.

2.3 **ADREP and Final Report Reporting Requirements**

2.3.1 The accident/incident data reporting (ADREP) process will be simplified and the ADREP reports submitted to ICAO will be improved. The reporting requirements for final reports will be aligned with other reporting requirements in Annex 13.

2.3.2 The requirement to send Preliminary ADREP Report has been removed.

2.3.3 The State conducting the investigation into an accident or an incident to an aircraft of a maximum mass of over 2,250 kg shall send, as soon as practicable after the investigation, the Accident/Incident Data Report to ICAO. The separate Incident Data Report for incidents to aircraft over 5,700 kg has also been deleted.

2.3.4 The threshold for submitting Final Reports to ICAO has been lowered — when the State that has conducted an investigation into an incident involving an aircraft of a maximum mass of over 2,250 kg has released a Final Report, that State shall send ICAO a copy of the Final Report. This replaces the previous threshold of 5,700 kg and aligns with the weight requirement for sending ADREPs.

2.4 State Safety Programme (SSP) — Consequential Amendment

2.4.1 The consequential amendment stemming from the adoption of Amendment 2 to Annex 19 aims to align the definition and provisions related to State Safety Programme (SSP).

2.4.2 The SSP definition has been updated to read: *an integrated set of laws, regulations, policies, objectives, processes, procedures and activities aimed at managing safety, at the State level*. The word "improving" has been replaced with "managing" to align with Annex 19. Consequential updates have also been made to Chapter 8 references, including updated references to the Safety Intelligence Manual (Doc 10159) and the safety data collection and processing system (SDCPS).

3. ACTION BY THE MEETING

3.1 The Meeting is invited to:

- a) note the content of Amendment 20 to ICAO Annex 13 and the key changes introduced;
- b) consider implementation actions required at the national level ahead of the applicability date of 23 November 2028; and
- c) inform ICAO of any differences using the Electronic Filing of Differences (EFOD) System before 23 October 2028.

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