Insert new Attachment G.

ATTACHMENT G. GUIDANCE FOR INVESTIGATIONS WHEN THERE MAY BE A CONNECTION BETWEEN A STATE AND A SUSPECTED ACT OF UNLAWFUL INTERFERENCE

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 – *Aviation Security*, only judicial or administrative proceedings can determine if such acts were unlawful and address questions of blame and liability. 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 State identified in 5.1, 5.2 or 5.3 from the responsibility to institute an investigation in accordance with the provisions of this Annex and issue a Final Report.

2. An investigation conducted in accordance with this Annex, resulting in a publicly available Final Report, which is objective and perceived to be credible by all national and international stakeholders, enables improvements to safety. However, when there may be a connection between a State and the suspected act of unlawful interference, an investigation conducted by that State may result in an actual or perceived conflict of interest situation.

3. Below are measures that can be taken to reduce and limit actual or perceived conflicts of interest, or their effects, in investigations where the credibility of the investigation may be challenged, such as events involving acts of unlawful interference either suspected or reported in accordance with Annex 17. Each measure may be adopted alone or in combination with other measures listed hereafter.

4. The State instituting the investigation may delegate the conduct of the investigation to another State or regional accident and incident investigation organization (RAIO), as per 5.1, 5.3 and Attachment F, *Investigation Delegation Agreements.*

5. The State conducting the investigation may:

a) invite ICAO to appoint an observer; and/or

b) invite a third-party State to appoint an observer or an accredited representative.

6. The State conducting the investigation should:

a) release timely factual information, especially in the early stages of the investigation in accordance with this Annex; and

b) communicate information to accident victims and their families, directly or via their State.

Note.— Guidance on providing information to aircraft accident victims and their families can be found in the Manual on Assistance to Aircraft Accident Victims and their Families *(Doc 9973).*

7. The transparency and credibility of such investigations can be increased by providing involved States, particularly States having suffered fatalities or serious injuries to their citizens, with an opportunity to:

a) observe selected aspects of the investigation process, provided the investigation is not impeded or compromised; and

b) receive relevant information and the contents of reports before they are made publicly available.

End of new Attachment G.

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