



*International Civil Aviation Organization*

**FIFTEENTH MEETING OF THE  
ASIA/PACIFIC AIR NAVIGATION PLANNING AND  
IMPLEMENTATION REGIONAL GROUP (APANAPIRG/15)**

**Bangkok, Thailand 23 to 27 August 2004.**

**Agenda Item 2.1: ATM/AIS/SAR Matters**

**UNKNOWN MILITARY FLIGHT MOVEMENTS OVER ARABIAN SEA – EFFECTS ON  
CIVIL TRAFFIC**

(Presented by India)

**SUMMARY**

This paper presents the difficulties faced by Civil Flights & ATS Provider due to unknown and un-controlled military traffic over Arabian Sea in Mumbai FIR.

**1. GENERAL**

1.1 In Mumbai FIR, over Arabian Sea, seven ATS routes serve the major international traffic flows between South East Asia and Middle East. Traffic flow between Hong Kong and Johannesburg, Mumbai and Mauritius / Seychelles /Mogadishu /Yemen also pass through the airspace over Arabian Sea. Over all it is quite a busy airspace. A major portion of this airspace is exclusive RVSM airspace. Since RVSM has not been implemented by Mauritius and other African countries, some portion of airspace over Arabian Sea adjoining the FIRs of such African countries still remain as non-RVSM airspace.

**2. UNKNOWN MILITARY TRAFFIC IN INTERNATIONAL AIRSPACE**

2.1 In the airspace over Arabian Sea, there have been reports of un-known military flights crossing the flight path of civil flights in close proximity. These flights do not squawk also. During Afghanistan war, there were about 65 reports of such crossings by military flights in airspace covered by EMARSSH routes. After Afghanistan war also there have been regular reports of such sighting of military aircraft in close proximity by civil flights. In some cases based on the direction of flights of military aircraft and type of the aircraft as reported by the civil flights, India sent queries to military bases in Indian Ocean but no response was received. Recently on 30<sup>th</sup> July 2004 and on 1<sup>st</sup> August 2004, two reports by civil aircraft taking Collision Avoidance Action with respect to military flights unknown to Mumbai Air Traffic Control near way point DONSA [N 143518.5 E 06511133.4] were received. Mumbai ATC never receives any flight plan or estimate or position reports in respect of such military flights.

### **3. ACTION TAKEN BY INDIA**

3.1 India has brought the issue to the notice of ICAO during various meetings and through correspondence. India informed FAA and NTSB of USA also, at the same time during May 2002. ICAO office, Montreal clarified that since the incidents have taken place in areas over high seas and that State aircraft are not subject to compliance with the Convention on International Civil Aviation – there is no requirement for these military flights to be co-ordinated with ATC authorities responsible for services in Mumbai FIR. ICAO letter further mentioned that the relevant provisions have been brought to the attention of Representative of US on the Council of ICAO. However, Article 3[d] of the Convention under which contracting State undertake, when issuing regulation of their State aircraft, to have “Due Regard” for the safety of navigation and co-ordination of activities potentially hazardous to civil aircraft.

### **4. RVSM V/S MILITARY FLIGHTS**

4.1 In August 2002, at Special Co-ordination Meeting on Afghanistan Airspace held at ICAO, Asia Pacific Office, Bangkok, the issue of military flights affecting safety of civil flights on major trunk routes over Arabian Sea was discussed. The meeting noted that in international airspace US military aircraft operate under the principle of “Due Regard” and in visual conditions. Under ‘due regard’ procedures military aircraft normally fly at cardinal levels + 500 ft. For flights undertaken above FL 290 in non-RVSM airspace, military representative agreed to fly their aircraft with 1000 ft. vertical separation with respect to other civil flights. This was agreed in August 2002.

4.2 RVSM has been implemented in this part of world w.e.f 27<sup>th</sup> November 2003. This means that today the procedure for flying above FL 290 with 1000 ft. vertical separation with respect to civil aircraft is no longer valid for military aircraft. The operation in RVSM airspace being safety critical in nature, there is no scope/space for 500 ft. vertical separation between civil and military flights. Hence there is an urgent need for military authorities to review their procedures for conducting operations through International Exclusive RVSM airspace. It has also been discussed in previous meetings that RVSM airspace should be Class ‘A’ airspace where VFR flights are prohibited. Prohibiting VFR flights in Class ‘A’ airspace in the sovereign airspace may be possible for a State but in International Airspace the adoption of Class ‘A’ may not prevent entry of militaries’ un-controlled and un-coordinated flights. That means, in any International airspace which may be Exclusive RVSM airspace, the civil flights are likely to encounter such crossing of Military aircraft in close proximity.

4.3 Under these circumstances the State responsible for the provision air traffic services in International Airspace cannot ensure the desired level of safety for civil flights. India has been regularly taking up this matter with ICAO and other Member States in various meetings i.e. ATM/AIS/SAR/SG 12 & SG 14 on the issues involved. IATA also has brought these reports to the notice of India for taking appropriate action.

4.4 It may be recalled that in the Special Co-ordination Meeting on Afghanistan Airspace held at ICAO, Asia Pacific Office, Bangkok in August, 2002, the Coalition Forces Representative agreed that flight related information would be provided to ATC authorities responsible for providing Air Traffic Services in International Airspace in timely manner on radio frequency in use for the airspace concerned.

## **5. CONCLUSION**

In view of the above India proposes that: -

- a) Military authorities should review their “Due Regard” procedures and provide flight plan and other information on flight intending to operate in international airspace to the concerned ATS unit to help in maintaining safe and efficient flow of international traffic.
- b) ICAO should review the RVSM policies and procedures to make it mandatory that all flights including military flights intending to operate in RVSM airspace must pass the flight data to concerned ATS units and comply with ATC requirements, so that the concerned ATS units may at the least Provide essential traffic information, if not the required separation, with respect to such military flights to ensure safety of civil flights operating in that airspace.

## **6. ACTION BY MEETING**

6.1 The meeting is invited to discuss the issues raised in the working paper to propose possible solutions to ensure safety of civil flights in International airspace.

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