



International Civil Aviation Organization

ICAO

**Tenth Meeting of the Air Traffic Management Sub-Group
(ATM/SG/10) of APANPIRG**

Video Teleconference, 17 – 21 October 2022

Agenda Item 5: ATM Systems (Modernization, Seamless ATM, CNS, ATFM)

**BANGLADESH EFFORTS ON FIR AMENDMENT PROCESS AND THE IMPACT OF THE
DELAY ON THE FINALIZATION OF DHAKA FIR DESCRIPTION**

(Presented by Bangladesh)

SUMMARY

This paper presents Bangladesh's initiatives to resolve the Flight Information Region (FIR) amendment issue between Bangladesh, India and Myanmar. The paper also contains a brief overview of the difficulties being faced by Bangladesh in amending the description of Dhaka FIR. Meeting is invited to give emphasis on the safety aspect due to the delay of FIR amending process.

1. INTRODUCTION

1.1 This working paper, on its entirety, is intended to propose enhancements on the delineation of flight information regions (FIR) in sovereign airspace for the sole purpose of providing air traffic services and search and rescue services. In order to update the FIR/SRR Table in APAC Air Navigation Plan (ANP), ICAO has always urged the Member States to give emphasis on FIR description with data accuracy. FIR descriptions can be found in ATM I-1 Table of eANP Vol-I, where the FIR's name is being captured. Presently, there are approximately 19 (Nineteen) FIRs out of 49 (Forty nine), for which the FIR description field has been marked as "*To be incorporated*". Dhaka FIR is one of them.

2. DISCUSSION

Background

2.1 The issue of updating the APAC Air Navigation Plan (ANP) and the capability of the States to provide the accurate data on their FIRs were discussed over the last few years, in several ICAO Regional meetings. Despite significant progress in this respect, there are issues yet to be resolved.

2.2 According to the description of Dhaka FIR and Yangon FIR, the airspace over the territory of Bangladesh towards South-East part is included neither in Dhaka FIR nor in Yangon FIR, as shown in Figure 1 [Ref: *AIP Bangladesh and AIP Myanmar*]. This means, the authority responsible for provision of Air Traffic Services and SAR Services within that portion of the airspace remains undetermined. As it is the legal control and obligation of Bangladesh to provide the above mentioned two services in the airspace mentioned, Bangladesh has initiated process to restructure Dhaka FIR encompassing the airspace over the entire territory including the territorial water of Bangladesh. Bangladesh started communication with neighboring ANSP(s) through BANGLADESH-INDIA-MYANMAR-THAILAND (BIMT) ATM coordination meeting since 2016 after the declaration of its maritime boundaries. Earlier, mentioned portion was shown in Yangon FIR.

2.3 In BIMO-6 meeting, Myanmar intimated that as of current AIP Myanmar, the airspace towards South-East territorial part of Bangladesh has not been shown as a part of Yangon FIR. It may be mentioned here, a State cannot change and publish the FIR data without submitting the PfA to ICAO. Since the resolution of the BIMO-6 meeting stated that, both Airport Authority of India and DCA Myanmar were not competent to comment on demarcation of airspace, Bangladesh initiated formal process by submitting PfA to ICAO on February 2019, with the proposal on restructuring of Dhaka FIR. On June 2019, ICAO APAC proposed the process to resolve the issue that conducting tri-lateral meeting among Bangladesh, Myanmar and India. Bangladesh discussed the issue in BIMO-7 Meeting 2020 also, but did not receive any positive responses from concerned neighboring States, rather was requested to proceed through diplomatic channel.

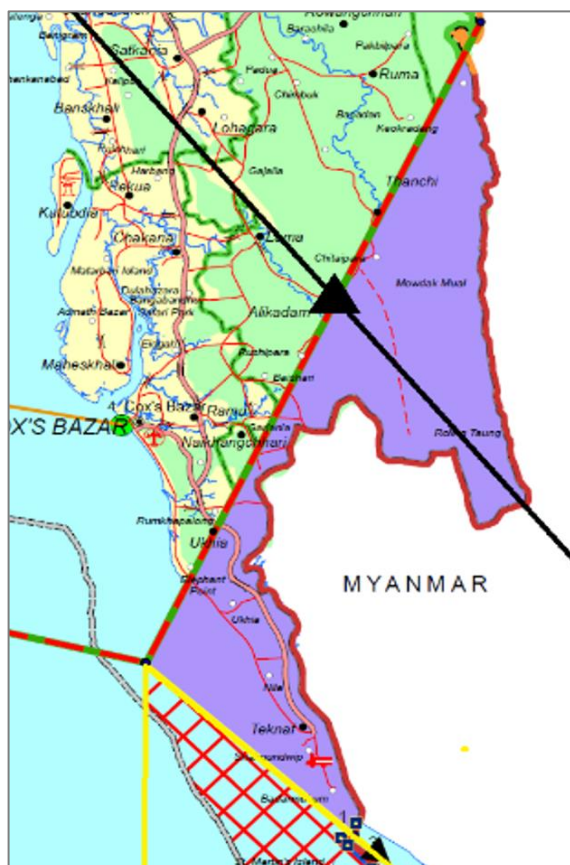


Figure 1: Portion of Undefined Airspace

Current Status

2.4 As a follow up of to the resolution of the BIMO-7 meeting, Bangladesh sent the revised proposal for Dhaka FIR (as proposed in BIMO-7 meeting) through diplomatic channel to the neighbouring States on March 2020 as below:

“The line joining from the point (A) 21 38 40.2N 89 09 20.0E, point (B) 21 26 43.6N 89 10 59.2E, point (C) 21 24 31.6N 89 20 22.3E, point (D) 21 25 32.5N 90 07 19.6E, point (E) 21 01 25.3N 91 53 53.2E, point (F) 20 26 39.2N 92 09 50.7E, point (G) 20 19 57.6N 92 15 15.3E, point (H) 20 22 46.1N 92 24 09.1E then along the national boundary until it meets the point (A) 21 38 40.2N 89 09 20.0E.

Note: Proposal was made in conformity with the Article 1 of Chicago Convention and the Article 2 and Article 3 of United Nations Convention on the Law of the Sea (UNCLOS).

2.5 The common boundary points (A) and (B) included in the FIR proposal have been simultaneously published in both Gazette of India and Bangladesh. Although there was bit late for COVID pandemic in 2020, India provided positive consent to Bangladesh proposal on March 2021 regarding the common boundary point (A) and (B). On the other hand, on January 2021 Myanmar requested Bangladesh through Diplomatic channel to shift the **point (G)** only, as a midpoint on the arc between points (F) and (H), as per ITLOS verdict. Earlier point (G) was plotted in the proposal for an ease delineation of FIR description as shown in Figure 2. Accordingly, on February 2021 Bangladesh sent revised proposal to Myanmar by shifting the point (G) on the arc, which needed to include additional few points for the arc delineation and keeping all other points unchanged as given below:

“The line joining from the point (A) 21 38 40.2N 89 09 20.0E, point (B) 21 26 43.6N 89 10 59.2E, point (C) 21 24 31.6N 89 20 22.3E, point (D) 21 25 32.5N 90 07 19.6E, point (E) 21 01 25.3N 91 53 53.2E, point (F) 20 26 39.2N 92 09 50.7E, point (G1) 20 24 33.36N 92 12 06.28E, point (G2) 20 23 02.85N 92 14 50.51E, point (G) 20 22 31.71N 92 16 22.8E, point (G3) 20 22 13.22N 92 17 53.28E, point (G4) 20 22 07.52N 92 21 03.37E, point (H) 20 22 46.1N 92 24 09.1E then along the national boundary until it meets the point (A) 21 38 40.2N 89 09 20.0E ”

Note: The points F, G1, G2, G, G3, G4 and H are the points which follow the curvature (arc) as defined by the ITLOS verdict (Map shown in Attachment A).

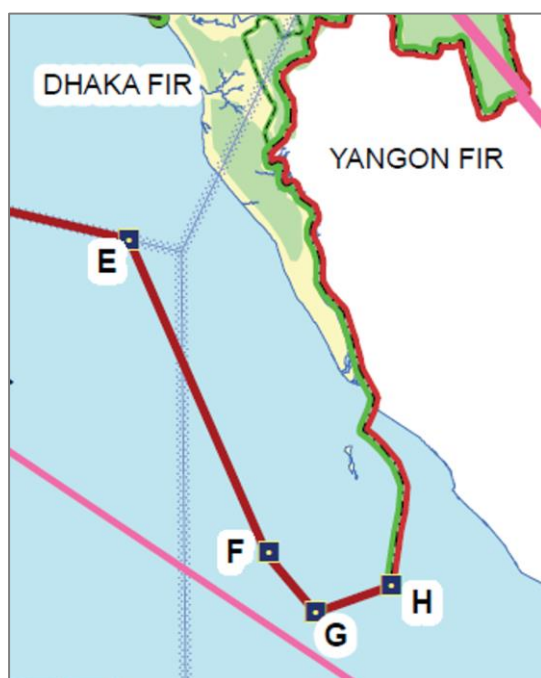


Figure 2: Position of point (G) as included in Initial proposal

2.6 Bangladesh had sent another request letter to Myanmar on January 2022 to accelerate the FIR proposal issue. Despite Bangladesh's initiative through diplomatic channel, it has been taking a long time to get consent from Myanmar whereas the issue is related to some points which are the international surveyed points as well as the common territorial sea points (Bangladesh-Myanmar) as per the ITLOS verdict. As a result validating of Dhaka FIR and updating the APAC Air Navigation Plan (ANP) has been delaying.

Impact

2.7 It is evident from the publication of Dhaka FIR in AIP Bangladesh and the publication of Yangon FIR in AIP Myanmar that, a undefined airspace has been existed for long time. A portion of a major ATS route G463 falls within this airspace after waypoint AVLED to the end of Bangladesh territory towards south-east as shown in Figure 3. Pursuant to the Letter of Agreement (LOA) between two concerned ATC Units, both Dhaka ACC and Yangon ACC shall be responsible for provision of Air Traffic Services within their respective FIR(s). LOA also states "*Search and Rescue region for Dhaka ACC and Yangon ACC shall comprise of their respective FIR boundaries*" [Ref : LOA between Dhaka ACC and Yangon ACC Para 10.1]. So, there is no designated ATS Authority to provide Air Traffic Services within that portion of the route G463. As such, the provision of Air Traffic Services and SAR Services within that portion of the airspace remains undetermined which is a major safety concern. Considering this safety issue the amendment of Dhaka FIR, by including the entire airspace over the territory of Bangladesh, has been proposed. This will ensure safe airspace management and better Search & Rescue responses by Bangladesh within the mentioned areas.



Figure 3: Portion of route G463 after AVLED within an undefined airspace

2.8 Bangladesh would like to convey its sincere appreciation to India through this meeting for providing no objection to Bangladesh's Proposal on revised Dhaka FIR.

2.9 It is sometimes difficult for States to resolve the FIR inconsistency or boundary revision issue(s) through bilateral/trilateral meeting(s) with the concerned neighbouring States. In most of the cases, it becomes complicated when more than two States are involved in this process. Even if one neighbouring State agrees to the FIR amendment proposal of a particular State, it will not be resolved until the other neighbouring State agrees, which prolongs the process of incorporating the FIR data in ANP for all involving States. Bangladesh wishes to give emphasis on this potential aspect of long pending process of Dhaka FIR amendment as experienced for last six years. This working paper is urging enhancements of effective initiatives to be taken by the concerned State to resolve the description issue of Dhaka FIR and to facilitate it to incorporate in APAC Air Navigation Plan (ANP) by ICAO.

3. ACTION BY THE MEETING

3.1 The meeting is invited to:

- a) note the safety aspect contained in this paper;
- b) suggest possible way out (if any) and
- c) discuss any other matters relevant as appropriate.

.....

ATTACHMENT A

