



ICAO

International Civil Aviation Organization

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

Video Teleconference, 17 – 21 October 2022

Agenda Item 4: Air Navigation Service Deficiencies

**UPDATE ON DESIGNATION OF AUSTRALIAN RESTRICTED AREAS IN
INTERNATIONAL WATERS**

(Presented by Australia)

SUMMARY

This paper presents an update on Australia's progress to removing Restricted Areas within International waters to address the existing ICAO deficiency.

1. INTRODUCTION

1.1 ICAO identified that Australia had designated Restricted Areas (RAs) outside the territorial waters of Australia. ICAO's Annex 2 defines that Restricted and Prohibited Areas can only be designated above the State's land areas or territorial waters. The United Nations Convention on the Law of the Sea (UNCLOS) does not allow States to impose restrictive measures on aircraft within airspace outside land areas and territorial sea.

2. DISCUSSION

Resolution of the deficiency

2.1 Australia's Civil Aviation Safety Authority (CASA) is progressing changes to the Airspace Regulations 2007 to permit the declaration of Military Operating Areas (MOAs), as a subset of Danger Areas (DAs), to replace the corresponding RAs. While these areas will not imply restrictions on the operation of foreign aircraft, such aircraft are strongly advised to avoid these areas. Flexible Use of Airspace (FUA) and conditional route provisions will be established in some MOAs to facilitate safe passage where appropriate. These regulatory changes are expected to be implemented by 01 December 2022.

2.2 An implementation plan has been developed by CASA, Australia's ANSP, and Defence Force to ensure the safe, effective and staged management of mechanisms, training and community awareness concerning the execution of MOAs.

2.3 To enhance aviation safety and provide adequate warning to airspace users in the vicinity of MOAs, Australia will designate and publish MOAs using M as the airspace designator to distinguish it from other types of DAs (that use a D designator). To support the M designation, Australia will file a difference to Annex 11 - 2.33.3 (b) using the EFOD System in accordance with Article 38 of the Chicago Convention. Australia expects to convert extraterritorial RAs to MOAs by 01 December 2024.

2.4 Australia is expecting to designate 101 RAs as MOAs and fully acquit the ICAO deficiency by 01 December 2024.

3. ACTION BY THE MEETING

3.1 The meeting is invited to note the information contained in this paper.

.....