



ICAO

# ICAO APAC & EUR/NAT CMAC/FUA WORKSHOP

*One-step forward*



Bangkok, Thailand  
19 – 23 January 2026



# Airspace structures, FUA and NOTAM publications

---

Sven Halle

ICAO EUR/NAT Office

# The Chicago Convention

- **Chicago Convention**

Four sections, 96 articles

- **Part 1 – Air Navigation**
- **Part 2 – The International Civil Aviation Organization**
- **Part 3 – International Air Transport**
- **Part 4 – Final Provisions**

CONVENTION  
ON  
INTERNATIONAL  
CIVIL AVIATION  
DONE  
AT CHICAGO  
ON THE  
7<sup>TH</sup> DAY OF DECEMBER  
1944



**Convention on  
International Civil Aviation**  
**Convention relative à  
l'aviation civile internationale**  
**Convenio sobre  
Aviación Civil Internacional**  
**Конвенция о международной  
гражданской авиации**

This document comprises Doc 7300/8  
Le présent document comprend le Doc 7300/8  
Este documento comprende el Doc 7300/8  
Международный документ включает Doc 7300/8

Word Edition – Révision 4882/1 – Revisión 4882/1 – Издание 4882/1 – 2018

International Civil Aviation Organization  
Organisation de l'aviation civile internationale  
Organización de Aviación Civil Internacional  
Международная организация гражданской авиации

# The Chicago Convention

- **Chicago Convention**

- Part 1 – Air Navigation (main concepts)

## **Sovereignty**

The contracting States recognize that every State has **complete and exclusive sovereignty over the airspace above its territory** (Art.1)

## **Territory**

For the purposes of this Convention the territory of a State shall be deemed to be the **land areas and territorial waters** adjacent thereto under the sovereignty, suzerainty, protection or mandate of such State (Art. 2)

# The Chicago Convention

- **Chicago Convention**

- Part 1 – Air Navigation (main concepts)

## **Civil and State aircraft (Art. 3)**

- a) This **Convention** shall be applicable only to civil aircraft, and **shall not be applicable to state aircraft**.
- b) Aircraft used in **military, customs and police services** shall be deemed to be state aircraft.
- c) No state aircraft of a contracting State shall fly over the territory of another State or land thereon without **authorization by special agreement** or otherwise, and in accordance with the terms thereof.
- d) The contracting States undertake, when issuing regulations for their state aircraft , that they will have **due regard for the safety of navigation of civil aircraft**

# The Chicago Convention

- **Chicago Convention**
  - Part 1 – Air Navigation (main concepts)

Art. 3 bis

Every State must “**refrain from resorting to the use of weapons against civil aircraft in flight**” and that, in case of **interception**, lives and aircraft must not be endangered (**Art. 3 bis**, Assembly amendment 10 May 1984)

# The Chicago Convention

- **Chicago Convention**
  - Part 1 – Air Navigation (main concepts)

## Prohibited Areas (Art. 9)

Each contracting State may, for reasons of military necessity or public safety, **restrict or prohibit** uniformly the aircraft of other States from flying over certain areas of its territory, provided that no distinction in this respect is made between the aircraft of the State whose territory is involved, engaged in international scheduled airline services, and the aircraft of the other contracting States likewise engaged.

# The Chicago Convention

- **Chicago Convention**

- **Part 1 – Air Navigation (main concepts)**

- Prohibited Areas (Art. 9)**

- a) Such prohibited areas shall be of reasonable extent and location so as not to interfere unnecessarily with air navigation. Descriptions of such prohibited areas in the territory of a contracting State, as well as any subsequent alterations therein, shall be communicated as soon as possible to the other contracting States and to the International Civil Aviation Organization.

- b) Each contracting State reserves also the right, in exceptional circumstances or during a period of emergency, or in the interest of public safety, and with immediate effect, to restrict or prohibit flying over the whole or any part of its territory, on condition that such restriction or prohibition shall be applicable without distinction of nationality to aircraft of all other States.

- c) Each contracting State, under such regulations as it may prescribe, may require any aircraft entering the areas contemplated in subparagraphs a) or b) above to effect a landing as soon as practicable thereafter at some designated airport within its territory.

# The Chicago Convention

- **Chicago Convention**

- Part 1 – Air Navigation (main concepts)

## Adoption of international standards and procedures

“Each contracting State undertakes to collaborate in securing the **highest practicable degree of uniformity** in regulations, standards, procedures, and organization in relation to aircraft, personnel, airways and auxiliary services in all matters in which such uniformity will facilitate and improve air navigation”

### STANDARD

Any specification the uniform application of which is recognized as **necessary** for the safety or regularity of international air navigation

# The Chicago Convention

- **Chicago Convention**

- **Part 1 – Air Navigation (main concepts)**

- Rules of the Air (Art.12)**

- Each contracting State undertakes **to adopt measures to insure** that every aircraft flying over or maneuvering within its territory and that every aircraft carrying its nationality mark, wherever such aircraft may be, shall **comply with the rules and regulations** relating to the flight and maneuver of aircraft there in force.

- Each contracting State undertakes to keep its own **regulations in these respects uniform**, to the greatest possible extent, with those established from time to time under this Convention.

- Over the high seas, the rules in force shall be those established under this Convention.**

- Each contracting State undertakes to insure the prosecution of all persons violating the regulations applicable

- **UN Convention on the Law of the Sea (UNCLOS)**

- Articles with relevance for Aviation

**Article 2, Legal status of the territorial sea, of the air space over the territorial sea and of its bed and subsoil**

1. The **sovereignty of a coastal State extends**, beyond its land territory and internal waters and, in the case of an archipelagic State, its archipelagic waters, to an adjacent belt of sea, described as **the territorial sea**.
2. This **sovereignty extends to the air space over the territorial sea** as well as to its bed and subsoil.
3. The sovereignty over the territorial sea is exercised subject to this Convention and to other rules of international law.

**Article 3, Breadth of the territorial sea**

Every State has the right to establish the breadth of its territorial sea **up to a limit not exceeding 12 nautical miles**, measured from baselines determined in accordance with this Convention.

- **UN Convention on the Law of the Sea (UNCLOS)**

**Article 58, Rights and duties of other States in the exclusive economic zone**

In the exclusive economic zone, all States, whether coastal or land-locked, enjoy, subject to the relevant provisions of this Convention, **the freedoms referred to in article 87 of navigation and over-flight** and of the laying of submarine cables and pipelines, and other internationally lawful uses of the sea related to these freedoms, such as those associated with the **operation** of ships, **aircraft** and submarine cables and pipelines, and compatible with the other provisions of this Convention.

**Article 86**

The provisions apply to all **parts of the sea that are not included in the exclusive economic zone, in the territorial sea or in the internal waters of a State**, or in the archipelagic waters of an archipelagic State. This article does **not entail any abridgement of the freedoms enjoyed by all States in the exclusive economic zone in accordance with article 58.**

- **UN Convention on the Law of the Sea (UNCLOS)**

**Article 87, Freedom of the high seas**

The **high seas are open to all States**, whether coastal or land-locked.

1. Freedom of the high seas is exercised under the conditions laid down by this Convention and by other rules of international law. It comprises, inter alia, both for coastal and land-locked States:

- (a) Freedom of navigation
- (b) **Freedom of over-flight** .....



Note : Turkey is not a signatory to the UNCLOS III from 1982 and their position is well known and remains unchanged

- **ICAO Annex 2 (Rules of the Air)**
  - Foreword

## ***Flight over the high seas.***

It should be noted that the Council resolved, in adopting Annex 2 in April 1948 and Amendment 1 to the said Annex in November 1951, that the Annex constitutes Rules relating to the flight and manoeuvre of aircraft within the meaning of Article 12 of the Convention.

**Over the high seas, therefore, these rules apply without exception**

- **ICAO Annex 2 (Rules of the Air)**

- Definitions

Definitions of terms used in the Standards and Recommended Practices which are not self-explanatory in that they do not have accepted dictionary meanings. A definition does not have an independent status but is an essential part of each Standard and Recommended Practice in which the term is used, since a change in the meaning of the term would affect the specification.

- **ICAO Annex 2 (Rules of the Air)**
  - International Standards Chapter 1. Definitions

***Danger area.*** An airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times.

***Prohibited area.*** An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is prohibited.

***Restricted area.*** An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is restricted in accordance with certain specified conditions

- **ICAO Annex 11 (Air Traffic Services)**

- Foreword, Applicability

Annex 11 pertains to the establishment of airspace, units and services necessary to promote a safe, orderly and expeditious flow of air traffic. A clear distinction is made between air traffic control service, flight information service and alerting service. Its purpose, together with Annex 2, is to ensure that flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operation.

- ATS route. A specified route designed for channelling the flow of traffic as necessary for the provision of air traffic services. ....plus notes

- **ICAO Annex 11 (Air Traffic Services)**

- Art 2.18 Coordination between military authorities and air traffic services

2.18.1 Air traffic services authorities shall establish and maintain close cooperation with military authorities responsible for activities that may affect flights of civil aircraft.

2.18.2 Coordination of activities potentially hazardous to civil aircraft shall be effected in accordance with 2.19.

2.18.3 Arrangements shall be made to permit information relevant to the safe and expeditious conduct of flights of civil aircraft to be promptly exchanged between air traffic services units and appropriate military units.

2.18.3.1 and 2.18.3.2 with further details on data provision and special procedures for information exchange in order to avoid an interception.

- **ICAO Annex 11 (Air Traffic Services)**

- Art 2.19 Coordination of activities potentially hazardous to civil aircraft

2.19.1 The arrangements for activities potentially hazardous to civil aircraft, whether over the territory of a State or over the high seas, shall be coordinated with the appropriate air traffic services authorities. The coordination shall be effected early enough to permit timely promulgation of information regarding the activities in accordance with Procedures for Air Navigation Services — Aeronautical Information Management (PANS-AIM, Doc 10066) (plus Recommendations)

2.19.2 The objective of the coordination shall be to achieve the best arrangements which will avoid hazards to civil aircraft and minimize interference with the normal operations of such aircraft.

Recommendations:

- a) the locations or areas, times and durations for the activities should be selected to avoid closure or realignment of established ATS routes, blocking of the most economic flight levels, or delays of scheduled aircraft operations, unless no other options exist;
- b) the size of the airspace designated for the conduct of the activities should be kept as small as possible;
- c) direct communication between the appropriate ATS authority or air traffic services unit and the organization or unit conducting the activities should be provided for use in the event that civil aircraft emergencies or other unforeseen circumstances require discontinuation of the activities.

- **ICAO Annex 11 (Air Traffic Services)**

- Art 2.19 Coordination of activities potentially hazardous to civil aircraft

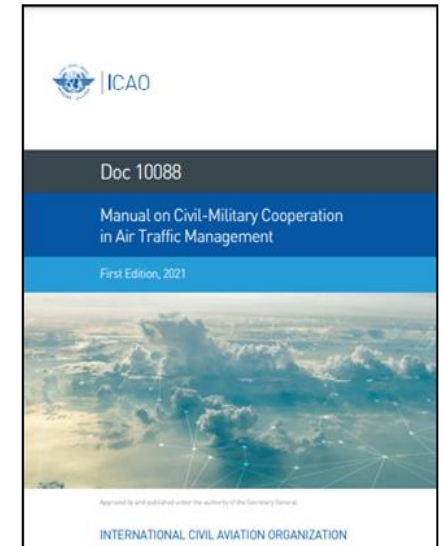
2.19.3 The appropriate ATS authority shall ensure that a safety risk assessment is conducted, as soon as practicable, for activities potentially hazardous to civil aircraft and that appropriate risk mitigation measures are implemented. *Note 1. — Such risk mitigation measures may include, but would not be limited to, airspace restriction or temporary withdrawal of established ATS routes or portions thereof*

2.19.4 The appropriate ATS authorities shall be responsible for initiating the promulgation of information regarding the activities.

2.19.....

2.19.7 *Recommendation.*— In order to provide added airspace capacity and to improve efficiency and flexibility of aircraft operations, States should establish procedures providing for a flexible use of airspace reserved for military or other special activities. The procedures should permit all airspace users to have safe access to such reserved airspace.

- **ICAO Doc 10088 (Manual on Civil-Military Cooperation in Air Traffic Management)**
  - Introduction of new terms and definitions for ASM and FUA
  - Chapter 2.5 , State requirements for airspace not necessarily related to aviation
  - Chapter 3.2.4, Prerequisites to implement flexible use of airspace (FUA)
  - Chapter 4 , Airspace Organisation and Management including various levels of FUA
  - Chapter 7.4 , Performance Metrics to support FUA



- **ICAO Doc 10088 (Manual on Civil-Military Cooperation in Air Traffic Management)**
  - Airspace management cell (**AMC**). A is a joint civil-military cell responsible for the day-to-day management and temporary allocation airspace
  - Airspace management (**ASM**). The process by which airspace options are selected and applied to meet the needs of the air traffic management community.
  - Conditional route (**CDR**). A non-permanent ATS route or portion thereof which can be planned and used under specified conditions.
  - Cross-border area (**CBA**). An airspace reservation or segregation established for specific operational requirements over international boundaries.

- **ICAO Doc 10088 (Manual on Civil-Military Cooperation in Air Traffic Management)**
  - Flexible use of airspace (**FUA**). An airspace management concept based on the principle that airspace should not be designated purely as civil or military, but rather as a continuum in which all user requirements are accommodated to the greatest possible extent.
  - **Segregated airspace**. Airspace of specified dimensions allocated for exclusive use to a specific user(s), with operations that are not able to be safely integrated with other airspace users.

- **ICAO Doc 10088 (Manual on Civil-Military Cooperation in Air Traffic Management)**
  - Special use airspace (**SUA**). In the context of this manual, SUA is a generic term used for airspace volumes designated for specific operations, such as military training, exercises and operations, of a nature such that required limitations on airspace access may be imposed on other aircraft not participating in those activities. These may include, but are not limited to, restricted, danger and prohibited areas or temporary reserved areas (TRA).
  - Temporary reserved area (**TRA**). An airspace that is temporarily reserved and allocated for the specific use of a particular user during a determined period of time and through which other traffic may or may not be allowed to transit under air traffic control clearance.

# ICAO Procedures for Air Navigation Services

- **ICAO PANS AIM (ICAO Doc 10066)**

- **Art 6.14 Specifications for NOTAM**

6.14.1 NOTAM should be published with sufficient lead time for the affected parties to take any required action, except in the case of unserviceability, volcanic activity, release of radioactive material, toxic chemicals and other events that cannot be foreseen.

6.14.3 At least seven days' advance notice shall be given of the activation of established danger, restricted or prohibited areas and of activities requiring temporary airspace restrictions other than for emergency operations.

6.14.3.1 Notice of any subsequent cancellation of the activities or any reduction of the hours of activity or the dimensions of the airspace should be given as soon as possible.

*Note: Whenever possible, at least 24 hours' advance notice is desirable, to permit timely completion of the notification process and to facilitate airspace utilization planning*



Thank You!

