



# Civil/Military Cooperation Symposium

**IMPROVE SAFETY for Flights over the High Seas**

Presented by

Dmitry Kosolapov, IATA Assistant Director, ATM Infrastructure

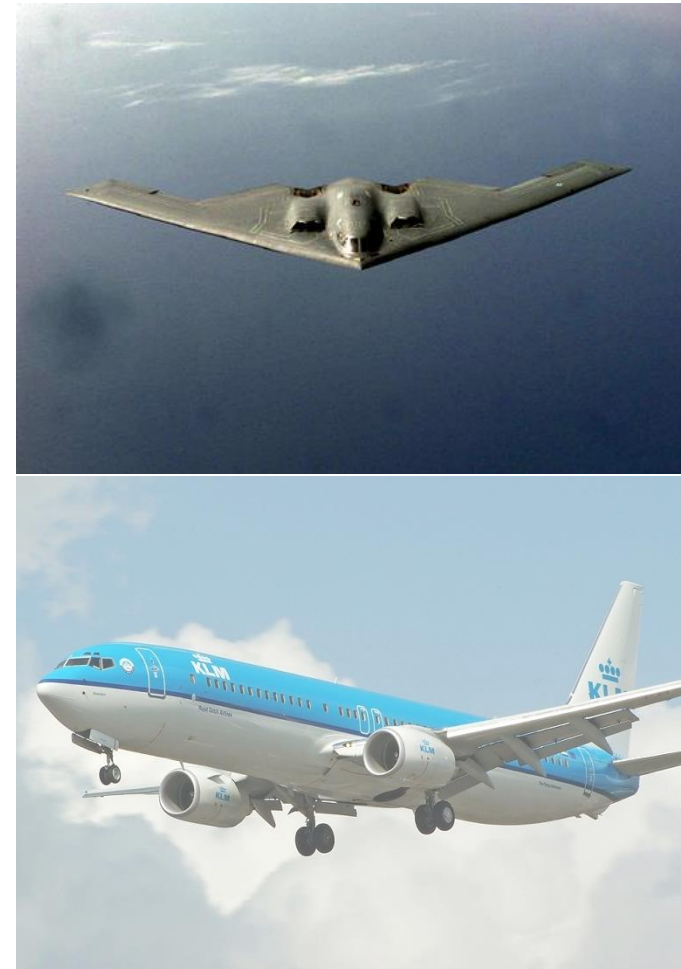
Paris, 14-15 April 2015

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the airline industry



# ISSUE

- Military aircraft patrolling over international waters that are being intercepted when approaching sovereign territories
- **Civil aircraft** that are being intercepted by Military aircraft without advanced notice



# Rules of Engagement

- Rules have always been clear?
- Military aircraft operate with 'due regard' to Civil aviation
- Civil aviation expects Military participants to give a wide berth to Civilian flights and to not introduce hazards to aviation



# Chicago Convention

- Chicago Convention does not apply to State Aircraft, therefore
  - Military flights over the High Seas will not be in contact with or comply with Civilian ATC clearances or instructions
  - No need for Military aircraft\* to squawk civil modes/codes or to be depicted on civil ATC screens

*\*either the aircraft 'on patrol' or the air defence interceptors / support aircraft*



# Chicago Convention ???

## Article 3

### *Civil and state aircraft*

- 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 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.



# Chicago Convention ???

## Article 3 *bis*\*

a) The contracting States recognize that every State must refrain from resorting to the use of weapons against civil aircraft in flight and that, in case of interception, the lives of persons on board and the safety of aircraft must not be endangered. This provision shall not be interpreted as modifying in any way the rights and obligations of States set forth in the Charter of the United Nations.



# Chicago Convention ???

## Article 12

### *Rules of the air*

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.

# Rules of the Air

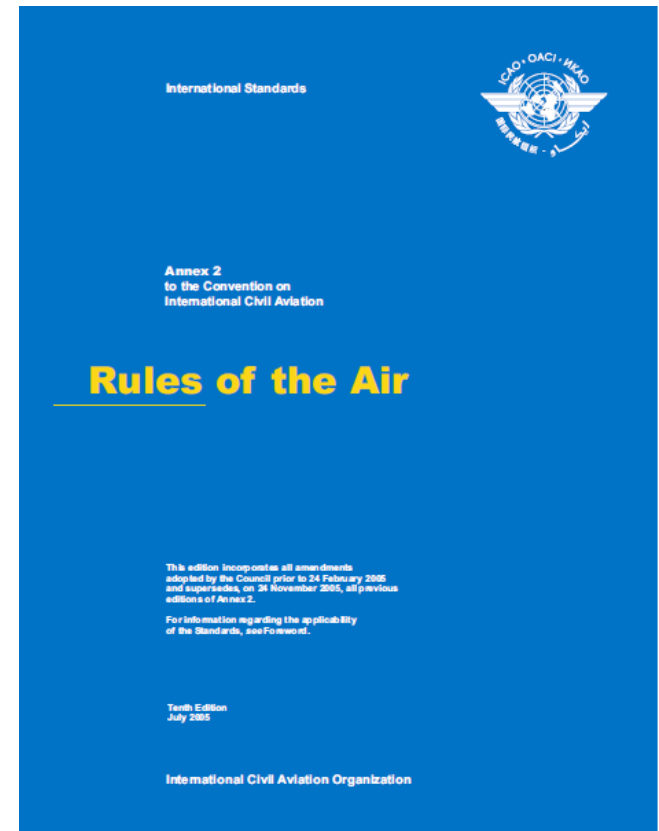
## APPENDIX 1. Signals

APP 1-1.....

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2. Signals for use in the event of interception

## APPENDIX 2. Interception of civil aircraft


## ATTACHMENT A. Interception of civil aircraft



# CMA/USOAP

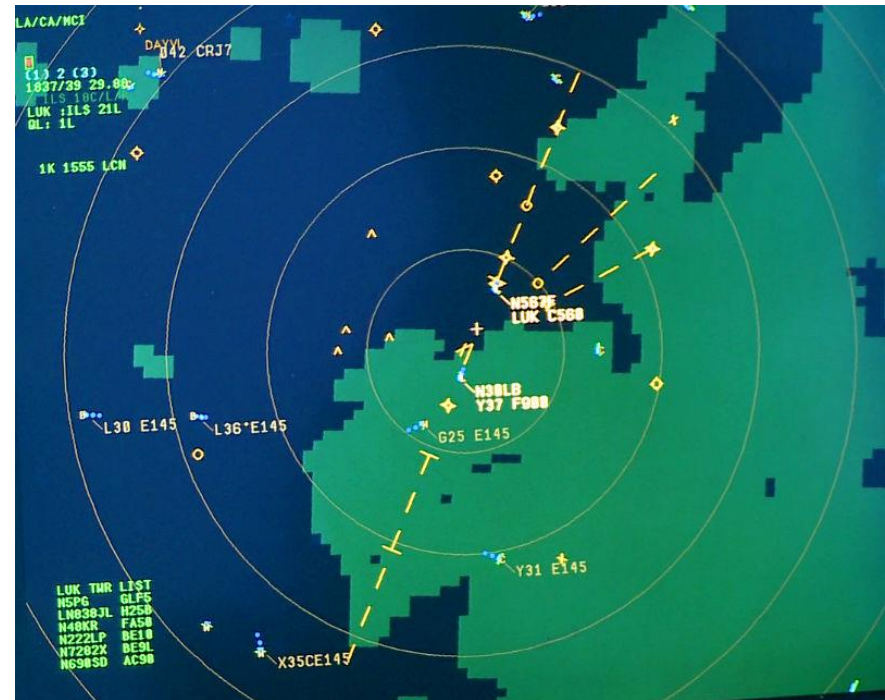
**USOAP**  
Continuous Monitoring Approach



ANS 7.000 – Legislation and regulations for air navigation services		Promoting global aviation safety by continuously monitoring and updating the safety oversight capabilities of all ICAO Member States.			
CC Art. 3 bis STD A2 3.8, App. 1, App. 2 & Att. A A11 2.23.2	ANS 7.007 Has the State published appropriate regulations and directives regarding interception of civil aircraft?	<input type="checkbox"/> Yes <input type="checkbox"/> No	> Review regulations and directives which have been issued for use by the State, intercepted pilot and air traffic controller	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Not satisfactory	

# IATA Position

- If not specified by MIL missions the military aircraft should follow ICAO CNS/ATM procedures
- Proper CIV/MIL co-ordination is required (FUA framework)
- Military authorities inform the CAA / ANSPs in a timely manner
- In this way civilian flights can be protected by being directed away from the military activity area
  - Similar to the conflict zone discussions held recently



# IATA Position

- In case of **military exercises** IATA expects,
  - CIV/MIL authorities will select blocks of airspace that will have little to no impact on the normal flow of civilian air traffic
  - MIL authorities will collaborate with the CIV ATC agencies to ensure proper impact mitigations



# Additional Issue

- Not really in the scope of the Symposium but it is an issue for civil aircraft operations
- The interference with GNSS signal is not acceptable to GAT traffic, due to the increased reliance on satellite navigation and for safety
  - unless this is part of a military exercise and has been NOTAMed accordingly



**Thank you**  
**Any questions?**

