



WORKING PAPER

THIRTEENTH AIR NAVIGATION CONFERENCE

Montréal, Canada, 9 to 19 October 2018

COMMITTEE B

- Agenda Item 6: Organizational safety issues**
6.2: Implementation of safety management
6.2.1: State safety programmes (SSPs)

CIVIL-MILITARY COOPERATION FOR PROACTIVE SAFETY MANAGEMENT

(Presented by the Republic of Korea)

EXECUTIVE SUMMARY

Since the adoption of Assembly Resolution A10-19, *Joint Civil-Military Use of Airspace and Air Navigation Facilities and Services*, ICAO has been playing a significant role in promoting civil-military cooperation to improve both safety and efficiency of the international civil aviation. In recent years, however, ICAO has placed a greater attention on “efficiency” in civil-military cooperation to meet a fast-growing demand in airspace use.

Meanwhile, challenges in civil-military cooperation have surfaced in the field of safety management, as safety management advances and matures in many Member States where the military is identified as a key stakeholder of the State safety programme (SSP). The Republic of Korea (ROK) believes this rising issue is a universal concern that has been experienced by many States. In this context, leadership of the ICAO is appreciated to support States faced with such difficulties and challenges.

Action: The Conference is invited to agree to the recommendation in paragraph 4.2.

1. INTRODUCTION

1.1 In many States, a series of aeronautical resources such as airspace, airports and air navigation facilities are shared by both civil and military authorities. In this regard, although Article 3 a) of the *Convention on International Civil Aviation* (Doc 7300) (hereinafter referred to as the “Convention”) excludes military aircrafts from the application of the ICAO regulation, ICAO has been promoting civil-military cooperation to ensure safe and orderly growth of the international civil aviation to achieve its aims and objectives in accordance with Article 44 of the Convention. To date, the ICAO has attained considerable achievements related to this agenda which has been contributing to both safety and efficiency of the air transport. In recent years, however, ICAO has placed a greater attention on “efficiency” in civil-military cooperation, to meet a fast-growing demand in airspace use.

1.2 Be that as it may, we should be constantly reminded that “safety” is another key element that requires a close civil-military cooperation in many States. With the State safety oversight (SSO) system transitioning toward the SSP, the importance of concerted efforts has become more crucial than ever as safety management activities are based on safety data and safety information. Collaborative activities, based on safety data and safety information sharing with the military, are essential to proactive safety management, not only for a single State but also for the community as a whole. With such consideration in mind, this working paper is to request ICAO to accord greater attention to agendas on safety management within the framework of the civil-military cooperation policy.

2. DISCUSSION

2.1 PAST : *Achievements of the ICAO*

2.1.1 The first step taken by ICAO to address the issue in question involves the Assembly Resolution A10-19, *Joint Civil-Military Use of Airspace and Air Navigation Facilities and Services*, adopted in 1956. States were urged to encourage “co-ordination” with the military in conducting their various aeronautical activities in order that the common use of airspace, certain facilities and services is so arranged that the safety, regularity and efficiency of international civil air navigation will be safeguarded.

2.1.2 Supports on improving safety have been focused on aircraft identification and separation in the air traffic management (ATM) field, which are the most basic yet highly important service for the safe operation of civil aircraft in that area. Even though the *Convention* does not apply to military aircraft (or State aircraft), *the Article 3 d)* of the Convention and its related Standards and Recommended Practices (SARPs) expanded in Annex 2 — *Rules of the Air (provision 3.3.1.2)* and Annex 11 — *Air Traffic Services (provision 2.18 and 2.19)* require States civil-military coordination for the safety of navigation of civil aircraft.

2.1.3 While the Assembly Resolution A10-19 aims to achieve multiple objectives, “efficiency” has lately become the main agenda on civil-military cooperation, responding to the increasing demand in global air traffic. By virtue of the united efforts of the community, the technologies, regulations and procedures related to airspace capacity and air traffic flow management (ATFM), such as flexible use of airspace (FUA) and collaborative decision-making (CDM), have been continuously developed to stay abreast of the growing air transport demand. In line with such progress, A10-19 has evolved multiple times by the Assembly, expanding its scope of activity from “co-ordination” to “cooperation”, and was lastly consolidated by the Assembly Resolution A38-12 Appendix I, *Consolidated statement of continuing ICAO policies and associated practices related specifically to air navigation - coordination and cooperation of civil and military air traffic*. A new guidance material (Doc 10088) is also being developed and expected to be published in the near future, to address practical procedures and practices in pursuit of efficiency, following the result of the 38th Assembly Session.

2.2 PRESENT : *Emerging safety management issues*

2.2.1 Even though the jointly-used aeronautical resources, such as the airspace and airports, are managed through appropriate coordination procedures between the civil and military, unexpected new /latent hazards, which pose a risk to aircraft operation, could arise within the joint operating environment, on account of the different objectives of the authorities concerned.

2.2.2 We should be constantly reminded of the Malaysian Airlines Flight 17 (MH17) accident on July 2014, a tragedy involving 298 fatalities. The result of the investigation called for ICAO to adopt

two safety recommendations as follows, in dealing with civil-military cooperation issues (AN-WP/9145 refers):

- a) incorporate, in Standards, that States dealing with an armed conflict in their territory shall at an early stage publish information regarding the nature and extent of threats of that conflict and consequences for civil aviation; and
- b) updated SARPs related to the consequences of armed conflicts for civil aviation, and convert the relevant Recommended Practices into Standards so that States will be able to take unambiguous measures if the safety of civil aviation may be at issue.

2.2.3 Based on these safety recommendations, SARPs for safety risk assessment and mitigation related to potentially hazardous activities within each States' territory are under review by the ICAO (Annex 11 and Annex 15 — *Aeronautical Information Services*). The civil-military cooperation is considered a key to its proper implementation in many States. Within the SSP framework, the provisional SARPs (Annex 11 and Annex 15) could be regarded as an important step forward in regulations related to proactive safety management.

2.2.4 In addition, the necessity of civil-military cooperation for safety management is not limited to what is mentioned above. As to the implementation of airspace safety assessment and of incident report investigation in accordance with the *Procedures for Air Navigation Services — Air Traffic Management* (PANS-ATM, Doc 4444, *provision 2.3 and 16.3*), civil aviation authorities in some States are required to coordinate and cooperate with the military to fulfil its responsibility.

2.2.5 Furthermore, regional forums have recognized that civil and military surveillance data sharing can facilitate the enhancement of safety nets and investigations. In support of such recognition, the Republic of Korea is convinced that civil-military cooperation will undoubtedly be presented as an important element of the safety data collection and processing systems, which is stipulated in Chapter 5 of the Annex 19 — *Safety Management*, in identifying systemic and cross-cutting hazards at the national, regional and global levels. In line with the growing maturity of safety management, the applicability of civil-military cooperation is likely to be expanded for various components of the SSP and safety management systems (SMS).

3. CHALLENGES

3.1 To date, it is assumed that the extent of civil-military coordination or cooperation procedures for many States were limited to the SSO system related activities, falling far short of what is needed for an effective SSP implementation. To achieve the abovementioned safety management activities, more active and broader scope of cooperation between the two authorities is of paramount significance. Familiarization on the SSP and the development of new working procedures for both could be the starting points.

3.2 A set of actions, including but not limited to, safety reporting, sharing safety data and safety information, safety risk assessment, and safety culture promotion could be the new items for civil-military cooperation to implement the safety management related SARPs. However, owing to the possible conflicts between SARPs and non-ICAO requirements, challenges are expected in reaching a general consensus on the need for the civil-military cooperation on safety management issues in civil aviation. In this context, leadership of the ICAO is appreciated to support States faced with such difficulties and challenges.

4. CONCLUSION

4.1 The Republic of Korea believes that civil-military cooperation for safety management could arguably be considered as a universal concern in improving the level of global aviation safety which is the strategic objective of the *Global Aviation Safety Plan (GASP)*. Significant challenges posed by the new regulations and working procedures are expected to emerge from the collaboration with the military authority. As such, the Republic of Korea requests ICAO to place heightened attention to agendas on safety management related to civil-military cooperation, to support States and regions faced with challenges in civil-military cooperation for effective implementation of safety management.

4.2 The conference is invited to agree on the following recommendation:

That the Conference:

- a) request ICAO to accord greater attention to agendas on safety management within the framework of the civil-military cooperation policy;
- b) request ICAO to consider update the GASP and Assembly Resolution A38-12, Appendix I, related to the civil-military coordination and cooperation, at the following 40th Assembly Session, to incorporate cooperation activities for proactive safety management, thereby bringing Assembly's attention to key aspects related to the civil-military coordination and cooperation; and
- c) encourage Member States to share experiences in civil-military cooperation for SSP implementation in conferences, meetings or on the Safety Management Implementation website.

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