



International Civil Aviation Organization
CAR/SAM Regional Planning Implementation Group (GREPECAS)
**Second Meeting of the Communications, Navigation and Surveillance / Air
Traffic Management Subgroup (CNS/ATM/SG/2)**
(Mexico City, Mexico, 16 to 19 November 2010)

Agenda Item 2: Follow-up to the implementation status of the performance based navigation systems plans for the CAR and SAM Regions and to the latest amendments to the ATM- and CNS-related SARPS

CIVIL/MILITARY COOPERATION IN SUPPORT OF OPTIMUM USE OF THE AIRSPACE

(Presented by the Secretariat)

SUMMARY	
This paper presents the outcome of the Global Air Traffic Management Forum on Civil/Military Cooperation held in Montreal from 19 to 21 October 2009 and outlines the next steps.	
References:	
<ul style="list-style-type: none">- <i>Convention on International Civil Aviation (Doc 7300)</i>- <i>Doc 9902, Assembly Resolutions in Force</i> (as of 28 September 2007);- Summary of the Global Air Traffic Management Forum on Civil/Military Cooperation http://www.icao.int/GATM-CIV/MIL/	
<i>ICAO strategic objectives</i>	A - Safety B - Security D - Efficiency E - Continuity

1. INTRODUCTION

1.1 The Global Air Traffic Management Forum on Civil/Military Cooperation was held in Montreal from 19 to 21 October 2009 in partnership with the Civil Air Navigation Services Organization (CANSO), the European Organization for the Safety of Air Navigation (EUROCONTROL), the International Air Transport Association (IATA), the North Atlantic Treaty Organization (NATO) and supported by the Air Traffic Control association (ATCA) and UVS International.

1.2 More than 400 participants attended the Forum to discuss subjects aimed at fostering and promoting improved civil/military cooperation and coordination and in support of optimum use of airspace by all users so as to effectively meet operational requirements of transportation, national defence and environmental sustainability.

1.3 The Forum emphasized that a flexible and efficient use of the airspace for both civil and military operations would provide benefits in terms of more efficient aircraft operations and improvement of the environment. One of the key conditions for increasing the effective use of available airspace, while maintaining safety and security, was a commitment from both civil and military authorities to improve cooperation and coordination. Good relations and trust were essential elements in this respect.

2. OUTCOMES OF THE FORUM

2.1 Much progress has been achieved in most of the ICAO regions in the management of the airspace and in civil/military cooperation. It was recognized, however, that improvements are required with regard to cooperation between civil and military authorities as well as air navigation service providers. Military representatives should participate on a routine basis in ICAO meetings, seminars and other related events as part of their State delegations in order to promote and foster cooperation.

2.2 The results of the Forum are summarized as follows:

- a) Peace and stability are essential preconditions for social and economic development;
- b) Mutual trust and confidence are principle requirements for collaboration between civil and military authorities;
- c) Safety, security and efficiency are common civil and military values;
- d) Efficiency for civil aviation signifies increased capacity, fewer delays, reduction of cost, fuel burn and emissions;
- e) Civil/military cooperation is essential at national, regional and international levels;
- f) Airspace is a continuum and a common limited resource for all civil and military users;
- g) Wide awareness and application of flexible use of airspace principles form a good common basis for global civil/military ATM coordination;
- h) Civil/military interoperability is essential to optimize safe and efficient use of airspace for all users. Interoperability gaps must be duly addressed by the aviation community as a whole;
- i) A comprehensive global civil/military approach to security and to incident management is needed. The approach taken should build on existing positive experiences which have a potential for further improvement; and
- j) Successful collaboration requires: communication, education, a shared relationship and trust.

2.3 The *Convention on International Civil Aviation*, signed in Chicago on 7 December 1944 (Doc 7300), applies only to civil aircraft and shall not be applicable to State aircraft (Article 3A) refers). ICAO can however play a pivotal role in improving the level of cooperation and coordination between civil and military authorities and should serve as the international facilitating platform. ICAO can also use its global and regional framework to bring civil and military authorities together, raise the awareness of the States in relation to the benefits of civil/military cooperation and coordination, and facilitate the use of existing arrangements wherever possible.

3. NEXT STEPS IN CIVIL/MILITARY COOPERATION

3.1 The Forum suggested that ICAO, States, civil and military authorities, international organizations and partners of the Forum should work together for their mutual benefit, and progress the following next steps:

- a) Use ICAO as an open forum for civil/military cooperation, collaboration and the sharing of best practices;
- b) Develop an ICAO manual on civil/military cooperation;
- c) Work together toward ensuring the safe and efficient integration of unmanned aircraft systems into non-segregated airspace;
- d) Work together on ATM security issues;

- e) Address civil/military cooperation at the 37th Session of the ICAO Assembly to ensure the momentum gained at the Forum is strengthened at high levels within States' administrations and international organizations and that an amendment be proposed to Assembly Resolution A36-13, Appendix O, *Cooperation and coordination of civil and military air traffic*, aimed at strengthening States' commitment to enhancing cooperation between civil and military authorities;
- f) ICAO Regional Directors to promote civil and military cooperation through the planning and implementation regional groups (PIRGs) and all civil military cooperation partners to collaborate in supporting regional civil/military events; and
- g) ICAO to convene, together with its partners, a second global forum at an appropriate time, to measure progress in civil/military coordination.

4. **ACTION BY THE MEETING**

4.1 The meeting is invited to:

- a) Note the global developments in enhancing civil/military cooperation; and
- b) Urge States working with air navigation service providers and their militaries, to take action to establish political will, develop institutional arrangements, set performance objectives, formulate practical and operational measures so to enhance civil/military cooperation in optimizing safe and efficient use of airspace for all users.

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APPENDIX

Resolution 37/15: Consolidated statement of continuing ICAO policies and associated practices related specifically to air navigation

Whereas in Resolution A15-9 the Assembly resolved to adopt in each session for which a Technical Commission is established a consolidated statement of continuing policies related specifically to air navigation up to date as at the end of that session;

Whereas a statement of continuing policies and associated practices related specifically to air navigation as they existed at the end of the 36th Session of the Assembly was adopted by the Assembly in Resolution A36-13¹, Appendices A to W inclusive;

Whereas the Assembly has reviewed proposals by the Council for the amendment of the statement of continuing policies and associated practices in Resolution A36-13, Appendices A to W inclusive, and has amended the statement to reflect the decisions taken during the 37th Session; and

Whereas the statement of continuing policies in Resolution A36-13 is hereby superseded;

The Assembly:

1. *Resolves* that:
 - a) the Appendices attached to this resolution constitute the consolidated statement of continuing air navigation policies and associated practices of the Organization as they exist at the close of the 37th Session of the Assembly; and
 - b) the practices associated with the individual policies in the appendices constitute guidance intended to facilitate and ensure implementation of the respective policies; and
2. *Declares* that this resolution supersedes Resolution A36-13 with its Appendices A to W inclusive.

Appendix A

Formulation of Standards and Recommended Practices (SARPs) and Procedures for Air Navigation Services (PANS)

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7. The applicability dates of amendments to SARPs and PANS shall be so established as to allow the Contracting States sufficient time for their implementation;

8. No Annex or PANS document shall be amended more frequently than once per calendar year.

¹ The full text of Resolution A36-13 and its appendices appears on pages II-2 to II-24 of Assembly Resolutions in Force (as of 28 September 2007) (Doc 9902).

Associated practices

1. The Council should ensure that provisions of SARPs and PANS are completely consistent with each other. Furthermore, the Council should endeavour to improve the processing, presentation and usefulness of ICAO documents containing SARPs, PANS and other related provisions, especially for complex systems and their associated applications. To that end the Council should promote the development and upkeep of broad system-level, functional and performance requirements. The Council should continue seeking the most appropriate means of development, translation, processing and dissemination of technical specifications.

2. Contracting States should comment fully and in detail on the proposals for amendment of SARPs and PANS or at least should express their agreement or disagreement on their substance. They should be allowed at least three months for this purpose. Furthermore, Contracting States should receive at least 30 days of notification of the intended approval or adoption of detailed material on which they are not consulted.

3. Contracting States should be allowed a full three months for notifying disapproval of adopted SARPs amendments; in establishing a date for notifying disapproval the Council should take into account the time needed for transmission of the adopted amendments and for receipt of notifications from States.

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APPENDIX O

Coordination and cooperation of civil and military air traffic

Whereas the airspace is a resource common to both civil and military aviation, and given that many air navigation facilities and services are provided and used by both civil and military aviation;

Whereas the Preamble of the *Convention on International Civil Aviation* stipulates that signatories thereto had “agreed on certain principles and arrangements in order that international civil aviation may be developed in a safe and orderly manner and that international air transport services may be established on the basis of equality of opportunity and operated soundly and economically”;

Whereas Article 3 (a) of the Convention states that “the Convention shall be applicable only to civil aircraft, and shall not be applicable to state aircraft” and Article 3 (d) requires that “contracting States undertake, when issuing regulations for their state aircraft, that they will have due regard for the safety of navigation of civil aircraft”;

Recognizing that growing civil air traffic and mission-oriented military air traffic would benefit greatly from a more flexible use of airspace used for military purposes and that satisfactory solutions to the problem of cooperative access to airspace have not evolved in all areas;

Whereas the flexible use of airspace by both civil and military air traffic may be regarded as the ultimate goal, improvement in civil/military coordination and cooperation, offers an immediate approach towards more effective airspace management; and

Recalling that the ICAO Global ATM Operational Concept states that all airspace should be a usable resource, any restriction on the use of any particular volume of airspace should be considered transitory, and all airspace should be managed flexibly;

The Assembly resolves that:

1. the common use by civil and military aviation of airspace and of certain facilities and services shall be arranged so as to ensure the safety, regularity and efficiency of civil aviation as well as to ensure the requirements of military air traffic are met;
2. the regulations and procedures established by Contracting States to govern the operation of their state aircraft over the high seas shall ensure that these operations do not compromise the safety, regularity and efficiency of international civil air traffic and that, to the extent practicable, these operations comply with the rules of the air in Annex 2;
3. the Secretary General shall provide guidance on best practices for civil/military coordination and cooperation;
4. Contracting States may include, when appropriate, representatives of military authorities in their delegations to ICAO meetings; and
5. ICAO serves as an international forum that plays a role in facilitating improved civil/military cooperation, collaboration and the sharing of best practices, and to provide the necessary follow-up activities that build on the success of the Global Air Traffic Management Forum on Civil/Military Cooperation (2009) with the support of civil/military partners.

Associated practices

1. Contracting States should as necessary initiate or improve the coordination and cooperation between their civil and military air traffic services to implement the policy in Resolving Clause 1 above.
2. When establishing the regulations and procedures mentioned in Resolving Clause 2, the State concerned should coordinate the matter with all States responsible for the provision of air traffic services over the high seas in the area in question.
3. The Council should ensure that the matter of civil and military coordination and cooperation in the use of airspace is included, when appropriate, in the agenda of divisional and regional meetings, in accordance with Resolving Clauses 3, 4 and 5 above.

APPENDIX P

The provision of adequate aerodromes

Whereas major improvements to the physical characteristics of aerodromes are required at many locations;

Whereas in certain cases these improvements will involve considerable outlay and it would be inadvisable to plan such work without taking into account future developments;

Whereas States and aerodrome authorities will continue to need to know the general trends in aerodrome requirements which succeeding generations of aircraft will most likely produce;

Whereas many serious problems can be avoided if the operating requirements of new aircraft are such as to permit them to operate economically without further demands on the physical characteristics of aerodromes;

Whereas the operation of aerodromes has many advantages, environmental considerations have imposed limitations upon the operation of aircraft at some locations. In view of the capacity problems currently experienced globally, account should be taken of the introduction into service of newer quieter aircraft; and

Whereas there is a growing trend for aerodromes to be operated by autonomous entities, the obligation of States to ensure safe aerodrome facilities and services remains unaffected;

The Assembly resolves that:

1. the technical requirements for aerodromes shall be kept under review by the Organization;
2. there is a need for future generations of aircraft to be designed so that they are capable of being operated efficiently, and with the least possible environmental disturbance, from aerodromes used for the operation of present-day aircraft;
3. States shall undertake certification of aerodromes;
4. States should ensure that safety management systems are introduced at their aerodromes; and
5. States should place greater emphasis on the management of aerodrome operations, with runway safety given a high priority.

Associated practices

1. In the light of the results of the continuing review mentioned in Resolving Clause 1 above, the Council, taking into account the requirement to improve still further existing safety levels, should:
 - a) develop additional guidance material on future developments;
 - b) develop procedures for the management of aerodrome operations; and
 - c) keep Contracting States informed of developments.
2. The Council should continue to draw the attention of aircraft manufacturers and operators to the policy expressed in Resolving Clause 2.

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APPENDIX U

Cooperation among Contracting States in investigations of certain aircraft accidents

Whereas it is incumbent on the State in which an accident occurs to institute an inquiry into the circumstances of the accident in conformity with Article 26 of the Convention;

Whereas, owing to the growing sophistication and complexity of modern aircraft, the conduct of an accident investigation requires participation by experts from many specialized technical and operational fields and access to specially equipped facilities for investigation;

Whereas many Contracting States do not have such specialized technical and operational expertise and appropriate facilities;

Whereas it is essential for flight safety and accident prevention that accidents be thoroughly investigated and reported and that the effectiveness of the investigations should not be unduly hampered by considerations of cost; and

Whereas the costs of salvage and investigation of major aircraft accidents may place a heavy financial burden on the resources of the State where the accident occurred;

The Assembly resolves to recommend that Contracting States cooperate in the investigation of major aircraft accidents or accidents in which the investigation requires highly specialized experts and facilities and that to this end Contracting States and regional safety oversight organizations, to the extent possible, inter alia:

- a) provide, on request by other Contracting States, expert assistance and facilities for the investigation of major aircraft accidents; and
- b) afford opportunity to Contracting States seeking investigation experience to attend investigations of major aircraft accidents, in the interest of developing and furthering investigation expertise.

Associated practices

1. Contracting States should be encouraged to support the convening of regional accident investigation workshops with a view to exchanging information on each State's investigation legislation and procedures, on the sharing of knowledge and expertise in investigation management and techniques, on the availability of experts and facilities and on practices in dealing with encountered accident investigation difficulties.

2. Contracting States should be encouraged to facilitate the participation of investigators of accident investigation authorities as observers in investigations in other States for training purposes and orientation visits.

3. Contracting States and regional safety oversight organization should be encouraged to assess their needs and capabilities in the field of aircraft accident investigation and prevention with a view to developing training curricula for basic accident investigation and prevention courses. The use of regional training centres for such courses should be fully explored as well as the incorporation of the TRAINAIR methodology which provides for internationally standardized training.

4. Contracting States should be encouraged to refer to the model Memorandum of Understanding (MOU) developed by ICAO in 2007 for use by States to encourage mutual cooperation during the investigation of aircraft accidents and serious incidents. The model MOU is available on the ICAO FSIX website.

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— END —