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CAPACITY & EFFICIENCY

# **REGULATORY FRAMEWORK FOR THE AIRSPACE ORGANIZATION AND MANAGEMENT (AOM)**

## **Civil-Military Coordination Seminar**

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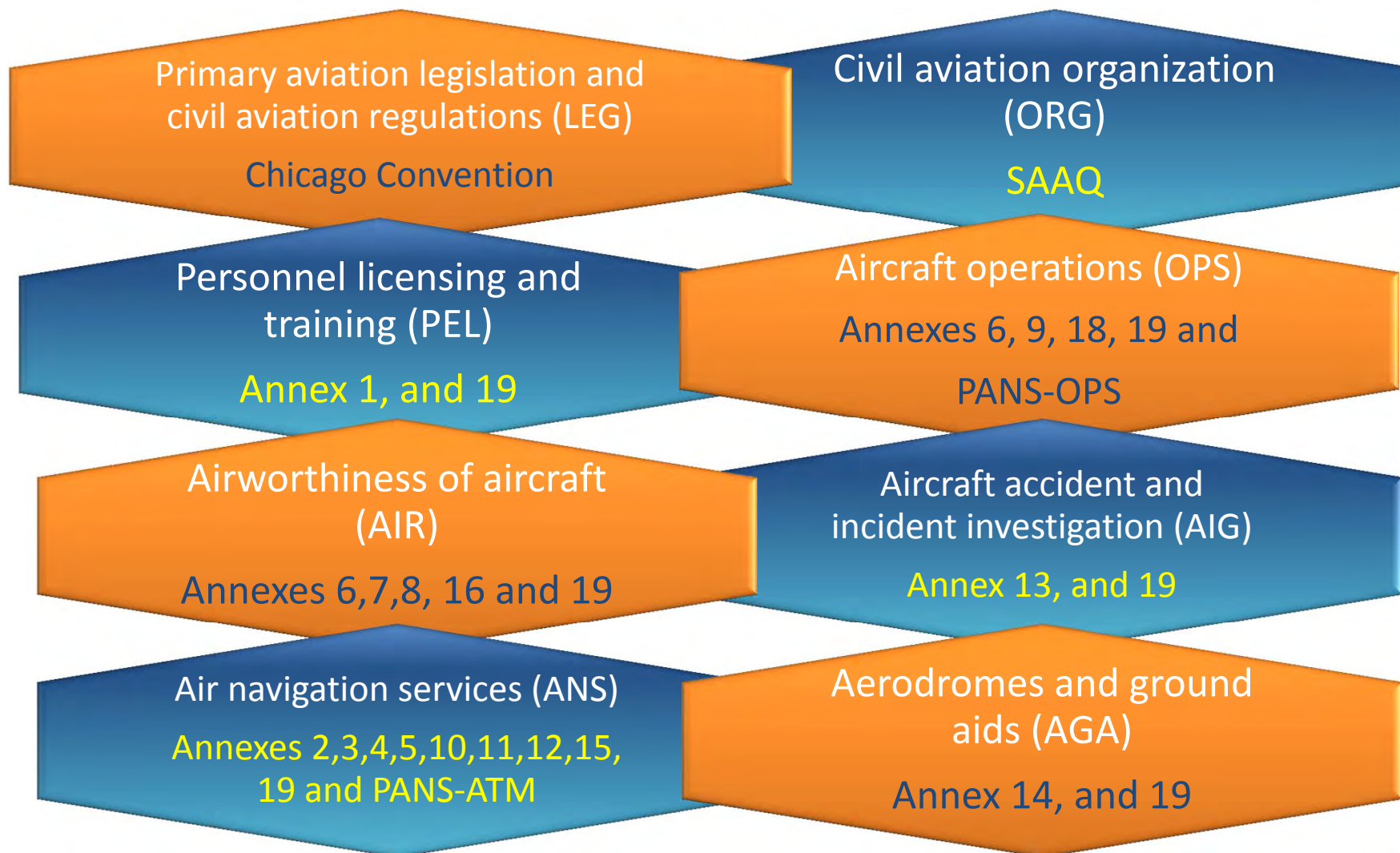
**RO ATM/SAR**

**26-30 May 2014**



## Article 12 of the Chicago Convention:

*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.*





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# Regulatory Framework



**CHICAGO CONVENTION  
(DOC 7300)**

**ANNEXES TO THE  
CHICAGO CONVENTION**

**SAFETY SARPS & PANS**

**ICAO GUIDANCE**

**STATE CONSTITUTION /  
BASIC AVIATION  
LEGISLATION**

**STATE REGULATIONS**

**PROCEDURES & SAFETY  
MANUALS**

**TECHNICAL GUIDANCE &  
CIRCULARS**



# State regulatory framework

- States to establish law and regulations for the application of the aviation system
- Laws are usually approved by the State congress /parliament
- Civil Aviation Authorities (CAAs) propose amendments to the law and regulations according to their administrative competencies



## Annex 19, CE1

- *1.1 The State shall promulgate a comprehensive and effective aviation law, consistent with the size and complexity of the State's aviation activity and with the requirements contained in the Convention on International Civil Aviation, that enables the State to regulate civil aviation and enforce regulations through the relevant authorities or agencies established for that purpose.*
- *1.2 The aviation law shall provide personnel performing safety oversight functions access to the aircraft, operations, facilities, personnel and associated records, as applicable, of service providers.*



## Article 3 *bis*

- Some States established areas for the identification of aircraft prior to entering their airspace of jurisdiction
- Contracting States are urged to ratify the Protocol of Article 3 *bis* of the Chicago Convention:
  - a) *the obligation of States to refrain from resorting to the use of weapons against civil aircraft in flight;*
  - b) *the obligation, in case of interception, not to endanger the lives of persons on board and the safety of aircraft; and*
  - c) *the right of States to require a civil aircraft flying above its territory to land at a designated airport without authorization or, if there are reasonable grounds, to conclude that it is being used for any purpose inconsistent with the aims of the Convention.*



## States to ratify Art 3 Bis

- **CONCLUSION NACC/DCA/5/5**  
**RATIFICATION OF ARTICLE 3 bis OF THE CHICAGO CONVENTION ON INTERNATIONAL CIVIL AVIATION**
  - *That **Bahamas, Costa Rica, Dominican Republic Grenada, Haiti, Honduras, Nicaragua, Saint Lucia, Saint Vincent and the Grenadines, Trinidad and Tobago and United States**, take the necessary actions to ratify the protocol relative to Article 3 bis of the Chicago Convention on International Civil Aviation and deposit the ratification document with ICAO as soon as possible.*
- SAM Region - **Venezuela**





## Article 83 *bis* and other affected articles

- Article 83 *bis* is intended to provide better regulation and oversight over air safety in the case of international lease, charter or interchange operations.
- it provides for the transfer of certain functions and duties from the State of Registry to another State.
- typically the State of Registry transfers the responsibilities to the State in which the aircraft are based (State of the Operator)
  - Note; '*bis*' means the second provision of - in this case the provision was inserted in the Convention after Article 83



## Article 83bis and other affected articles

- The functions and duties that may be transferred in whole or in part relate to Articles 12, 30, 31, and 32(a)
  - - Article 12 - Rules of the Air
  - - Article 30 - Radio Equipment
  - - Article 31 - Certificate of Airworthiness
  - - Article 32(a) - Flight Crew Licenses



## Annex 2, Interception of aircraft

- *Interception of civil aircraft shall be governed by appropriate regulations and administrative directives issued by Contracting States in compliance with the Convention on International Civil Aviation, and in particular Article 3(d) under which Contracting States undertake, when issuing regulations for their State aircraft, to have due regard for the safety of navigation of civil aircraft. Accordingly, in drafting appropriate regulations and administrative directives due regard shall be had to the provisions of Appendix 1, Section 2 and Appendix 2, Section 1.*



## Current Special Use of Airspace (CAR)

<b>Danger</b>	<b>Prohibited</b>	<b>Restricted</b>	<b>Total</b>
<b>34</b>	<b>47</b>	<b>38</b>	<b>119</b>

### Purposes:

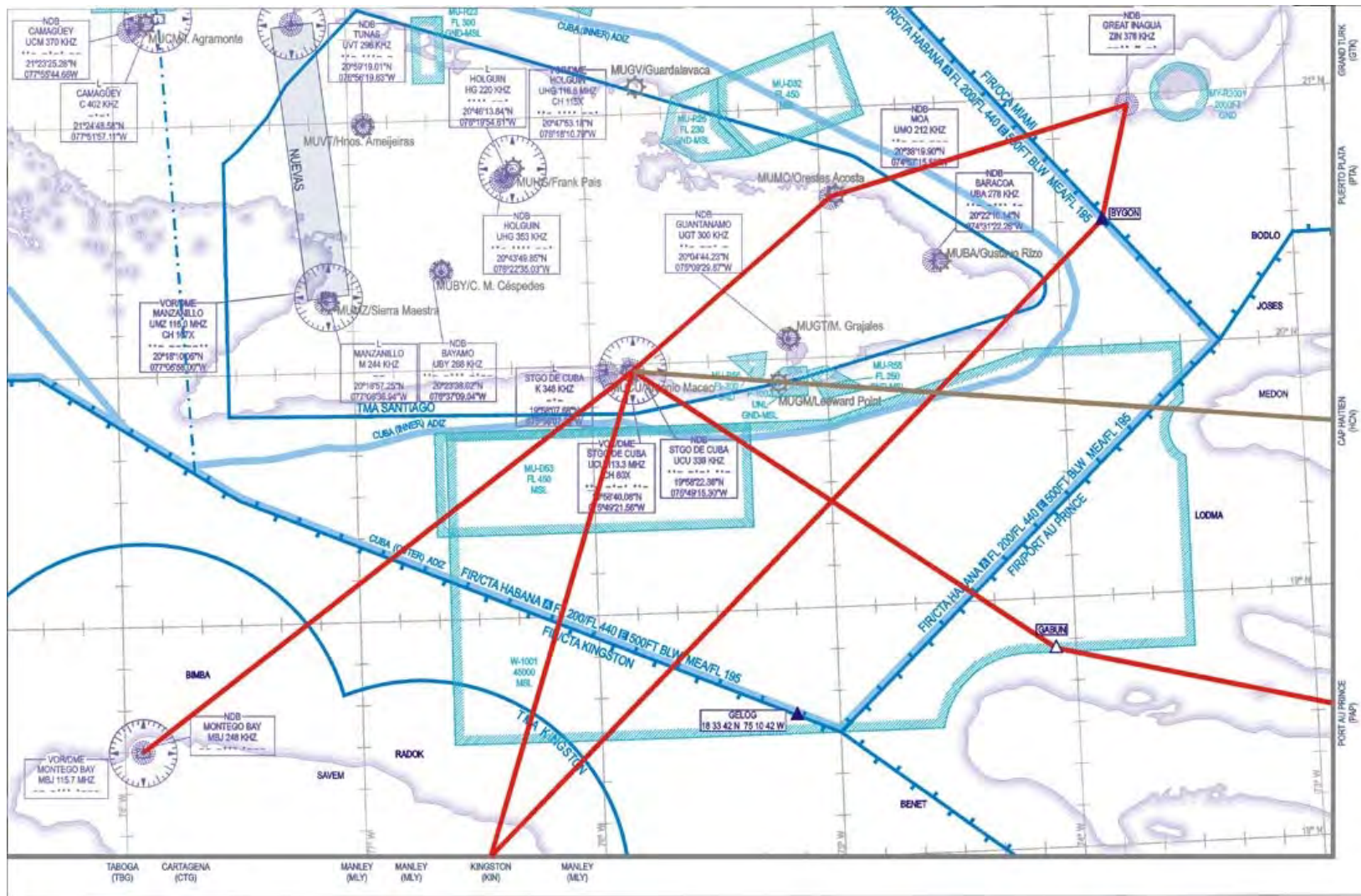
- Entering identification areas
- Searching
- Manned Launch
- Military

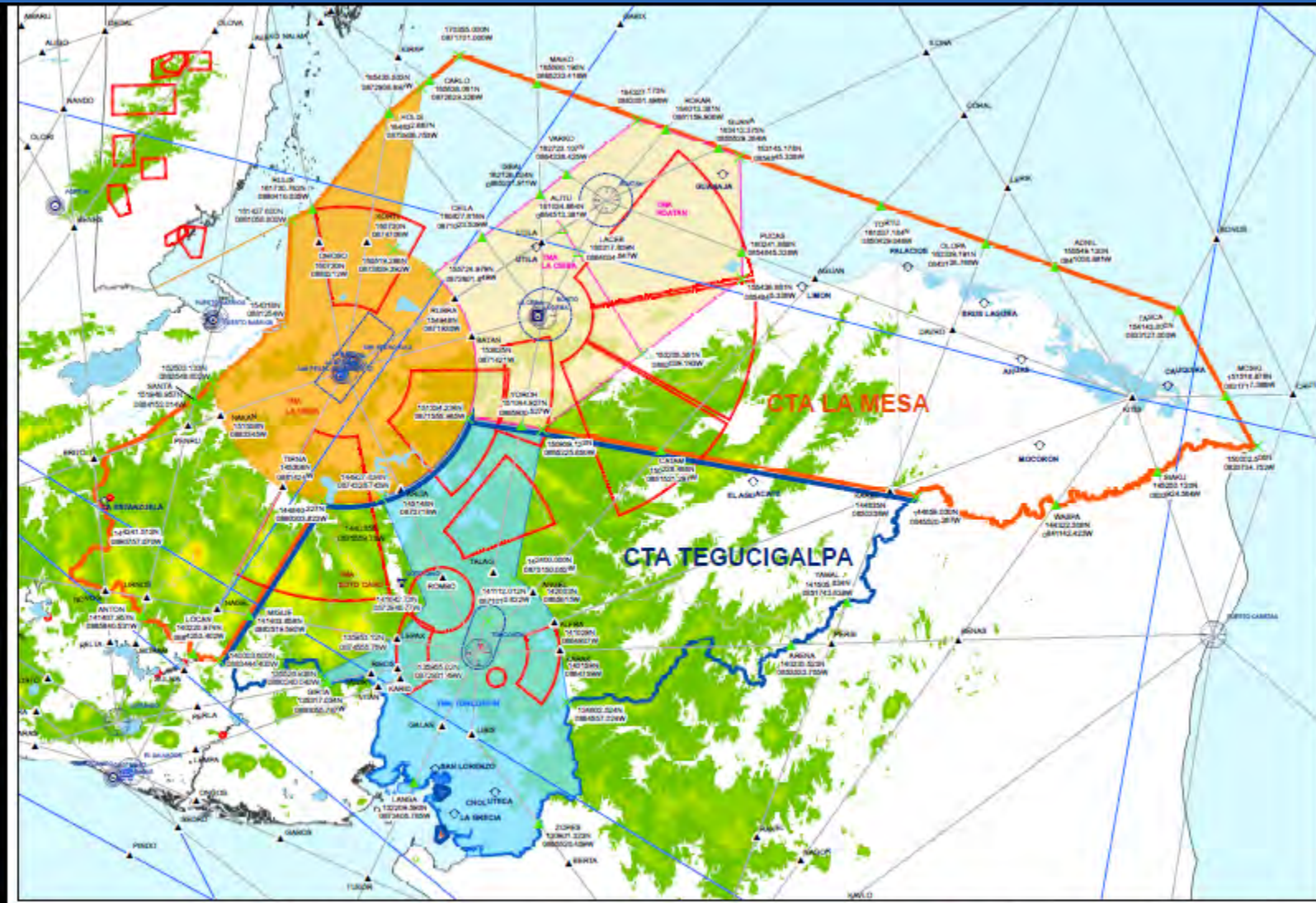
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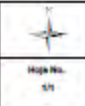
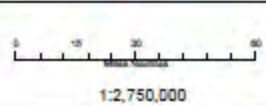
# Airspace Management & CDM





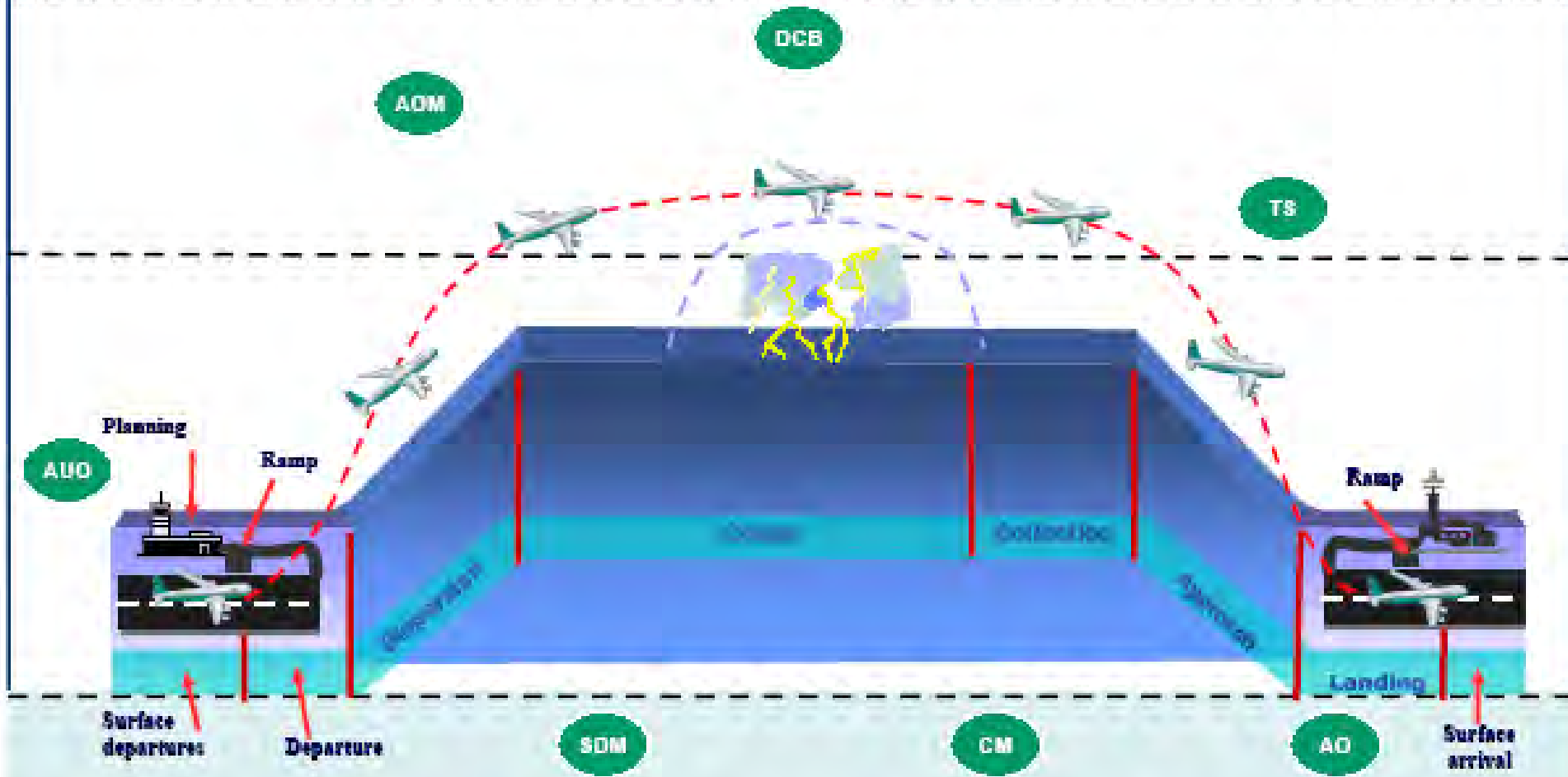


**ESPACIOS AEROS**  
**REPUBLICA DE HONDURAS**  
**CTA,TMA,CTR**



**AIS-GIS-COCESNA**  
 Elaborado por: Representante GIS Ing. Antonio Lozano  
 Revisado por: Grupo de Trabajo ATM DRACOCESNA  
 Fecha: 15 JUN 2019 11:29H UTC

Concepto puerta a puerta  
Fases de Vuelo (Doc 9854)



COMUNICACION (COM) - NAVIGACION (NAV) - VIGILANCIA (SUR)





# Missing, errors & duplication FPLs

States should:

- urge operators to avoid mixing/duplicating CPL and/or RPL messages, only one should be in force for a particular flight plan;
- establish flight plan procedures for timeline filled, coordination and updating of related changes (altitude, EOBT, route, speed  $\pm$  5%, etc.);
- follow-up provisions related of ATC clearance delivery depicted in ICAO Doc 4444, for flights operating from one FIR to another adjacent FIR;
- Establish training programmes for pilots, ATCOs, dispatchers, etc.

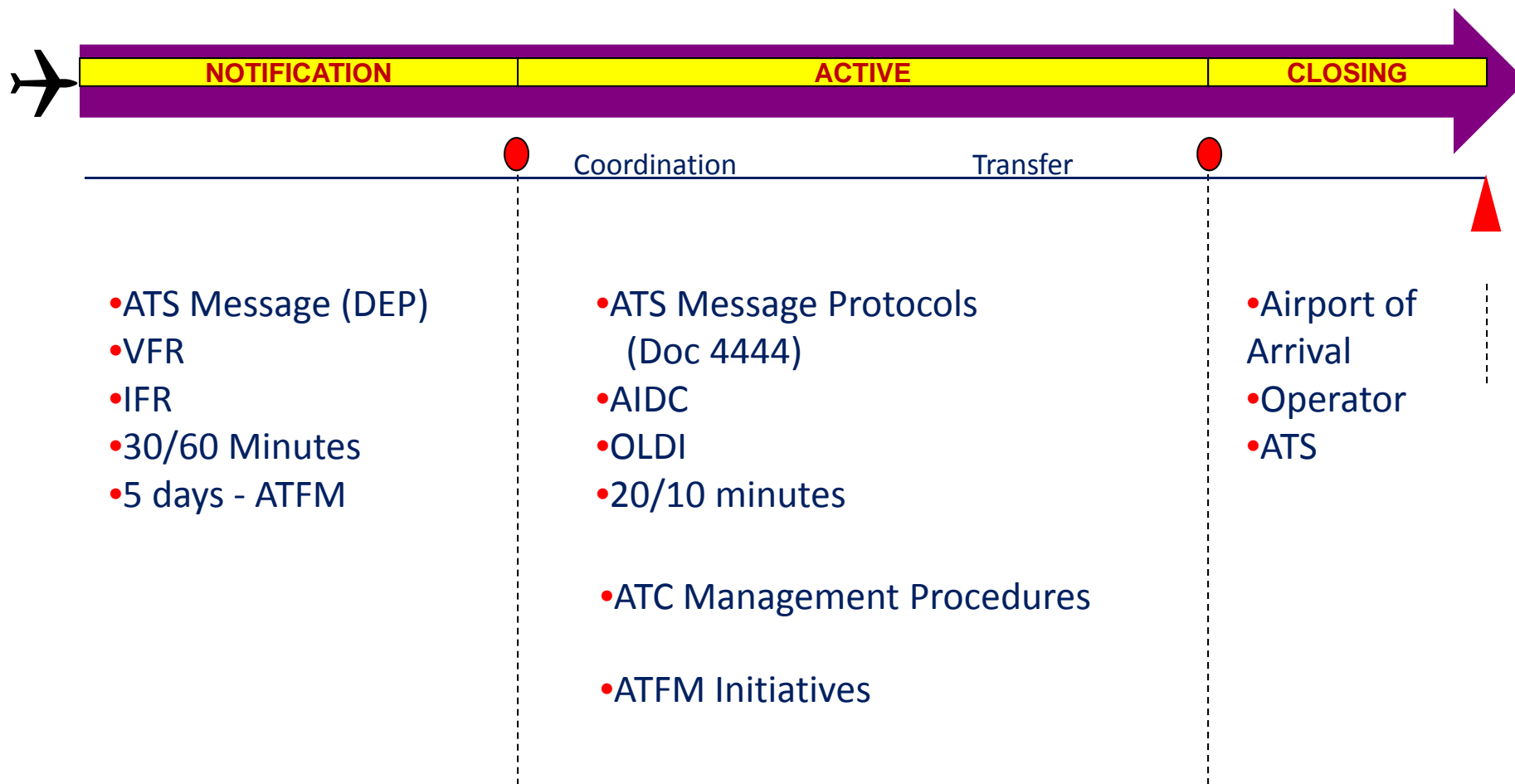


## Annex 2, Submission of Flight plans

- *a) any flight or portion thereof to be provided with air traffic control service;*
- *b) any IFR flight within advisory airspace;*
- *c) any flight within or into designated areas, or along designated routes, when so required by the appropriate ATS authority to facilitate the provision of flight information, alerting and search and rescue services;*
- *d) any flight within or into designated areas, or along designated routes, when so required by the appropriate ATS authority to facilitate coordination with appropriate military units or with air traffic services units in adjacent States in order to avoid the possible need for interception for the purpose of identification;*
- *e) any flight across international borders.*



# Flight Plan





## Future challenges:

- Analyse current ATS route network and restricted areas
- Airspace redesign & optimization based on ATM expectations
- Application of the FUA, based on civil-military coordination
- Optimize ATS route network
- Improve Airspace Organization and Management (AOM)



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