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Meldungen zu Krisenregionen durch das Bundesministerium für Verkehr und digitale Infrastruktur (BMVI)

Notifications on conflict zones issued by the German Federal Ministry of Transport and Digital Infrastructure (BMVI)

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1 Hintergrund

Seit dem Abschuss der Malaysian Airlines MH17 über der Ukraine am 17 JUL 2014 unterstützt das Luftfahrt-Bundesamt das für den Erlass von Flugverboten nach § 26 a Absatz 1 Luftverkehrsgesetz (LuftVG) zuständige Bundesministerium für Verkehr und digitale Infrastruktur (BMVI) durch die Erstellung flugbetrieblicher Bedrohungs- und Risikoanalysen im Bereich des zivilen Luftverkehrs bei Nutzung des Luftraums außerhalb des Hoheitsgebiets der Bundesrepublik Deutschland. Seit dem 10 NOV 2017 ist das Luftfahrt-Bundesamt für die flugbetriebliche Bewertung der jeweiligen konkreten Bedrohungslagen im Rahmen des § 26 a Absatz 1 Luftverkehrsgesetz zuständig. Die Einrichtung eines neuen Sachgebietes im Luftfahrt-Bundesamt folgte am 04 MAY 2018. Neben Flugverboten werden durch das BMVI auf Grundlage der Bewertungen bei abgestufter Bedrohungslage Flugempfehlungen für Risikogebiete ausgesprochen. Übergeordneter Zweck ist der Schutz der nach § 1 a LuftVG in der deutschen Luftfahrzeugrolle eingetragenen Luftfahrzeuge (oder ihnen gleichgestellten) auch außerhalb des Hoheitsgebietes der Bundesrepublik Deutschland. Die Bewertungen des Luftfahrt-Bundeamtes erfolgen bei Lageveränderungen nach Bedarf oder turnusmäßig.

1 Background

Since the downing of Malaysian Airlines MH17 over Ukraine on 17 JUL 2014, the German Federal Aviation Office (LBA) has been supporting the Federal Ministry of Transport and Digital Infrastructure (BMVI), which is responsible for issuing flight prohibitions in accordance with Section 26 a (1) of the German Aviation Act (LuftVG), by preparing threat and risk analyses concerning flight operations for civil aviation when using airspace outside the territory of the Federal Republic of Germany. Since 10 NOV 2017, the LBA has been responsible for the assessment of the specific threats concerning flight operations within the framework of Section 26 a (1) of the German Aviation Act (LuftVG). The establishment of a new unit at the LBA followed on 04 MAY 2018. In addition to flight prohibitions, the BMVI will issue flight recommendations for risk areas based on the tiered assessments of the threats. The overriding purpose is the protection of the aircraft (or equivalent) on the German aeronautical register in accordance with Section 1 a LuftVG, outside the territory of the Federal Republic of Germany as well. The LBA conducts its evaluations as the situation changes or on a regular basis.

2 Veröffentlichung

Die Veröffentlichung der Meldungen erfolgt im Auftrag des BMVI durch die Deutsche Flugsicherung GmbH (DFS). Das Meldeformat ergibt sich aus den Aeronautical Information Products der Internationalen Zivilluftfahrt-Organisation (ICAO), (ICAO Annex 15). Neue, kurzfristige und zeitkritische Meldungen zu Krisengebieten sind per Notice to Airmen (NOTAM) mit einer zeitlichen Befristung von grundsätzlich 90 Tagen zu veröffentlichen. Diese Meldeform gewährleistet die notwendige Aktualität für eine sichere Flugdurchführung in und über Krisengebieten. Bei Wegfall der Gültigkeit wird das NOTAM aufgehoben (ICAO Annex 15, 6.3.2.2). Längerfristig gültige NOTAM sind in den Aeronautical Information Circular (AIC) zu überführen; das NOTAM wird aufgehoben. Im AIC verbleibt die Meldung solange, bis die Bewertung der Lage durch das Luftfahrt-Bundesamt eine Änderung erforderlich macht. Änderungen sind per NOTAM anzuzeigen, soweit diese vor dem jeweils nächsten Redaktionsschlussstermin erfolgen soll (ICAO DOC 10066, 6.1.4.4 PANS AIMS). Ein Trigger NOTAM weist darauf hin, dass alle längerfristig bestehenden Flugverbote und Flugempfehlungen im AIC vermerkt sind.

2 Publication

DFS Deutsche Flugsicherung GmbH (DFS) publishes the notifications on behalf of the BMVI. The reporting format is derived from the Aeronautical Information Products of the International Civil Aviation Organisation (ICAO), (ICAO Annex 15). New, last-minute and time-critical notifications on conflict zones must be published by Notice to Airmen (NOTAM) with a basic time limit of 90 days. This form of notification ensures the necessary timeliness for safe flight operations in and over conflict zones. If the validity of the NOTAM ceases to apply, it is cancelled (ICAO Annex 15, 6.3.2.2). NOTAM that are valid for a longer period of time must be transferred to the Aeronautical Information Circular (AIC); the NOTAM is cancelled. The notification remains in the AIC until the assessment of the situation by the LBA makes a change necessary. Changes must be notified by NOTAM if they are to be made before the next editorial deadline (ICAO DOC 10066, 6.1.4.4 PANS AIMS). A trigger NOTAM notifies that all long-term flight prohibitions and flight recommendations are in the AIC.

3 Flugverbote im Sinne des §26 a LuftVG

Flugverbote werden durch das BMVI ausgesprochen, wenn ein konkretes Risiko für den zivilen Flugverkehr in einer Krisenregion festgestellt wurde. Wird aufgrund einer Bewertung in Bezug auf ein bestimmtes Krisengebiet ein Überflug-, Start- oder Landeverbot gemäß § 26 a LuftVG ausgesprochen, so erlässt das BMVI eine Allgemeinverfügung, die auf der Webseite des BMVI veröffentlicht wird (§ 36 II Nr. 1 VwVfG). Zusätzlich wird im Falle erstmalig ausgesprochener Flugverbote durch die DFS ein NOTAM veröffentlicht, das Bezug auf die Veröffentlichung der Allgemeinverfügung nimmt. Längerfristig gültige NOTAM zu Flugverboten sind im AIC enthalten.

Wortlaut:

Flugverbot/ Flight prohibitions	Civil German air operators are prohibited to plan and conduct flights within FIR [XXXX]. Potential risk to aviation from [e.g. <i>state of war</i>]. Further information: Website of the Federal Ministry of Transport and Digital Infrastructure of Germany (www.bmvi.de/krisenmanagement).
Widerruf des Flugverbots, soweit noch nicht im AIC aktualisiert/Withdrawal of a flight prohibition, if not yet updated in AIC	Federal Republic of Germany withdraws the flight prohibition for FIR [XXXX] from [dd.mm.yyyy]. AIC part [xx] will be revised at [dd.mm.yyyy].

3 Flight prohibitions in the sense of Section 26a LuftVG

Flight prohibitions are issued by the BMVI if a concrete risk to civil aviation in a conflict zone has been identified. If, on the basis of an assessment with regard to a specific conflict zone, an overflight, take-off or landing prohibition is issued in accordance with Section 26 a LuftVG, the BMVI will issue a general order (Allgemeinverfügung), which is published on the website of the BMVI (§ 36 II Nr. 1 VwVfG). In addition, when flight prohibitions are issued for the first time, DFS will publish a NOTAM which references the publication of the general order (Allgemeinverfügung). NOTAM on flight prohibitions that are valid for a longer period of time are included in the AIC.

Text:

4 Flugbetriebliche Empfehlungen

Empfehlungen werden durch das BMVI ausgesprochen, wenn ein hoch abstraktes oder mittleres abstraktes Risiko für den zivilen Flugverkehr in einer Krisenregion festgestellt wurde.

Wortlaut:

Empfehlung hohes abstraktes Risiko/ Recommendation: high abstract risk	Civil German air operators are advised not to plan and conduct flights within FIR [XXXX] below FL [XXX] including landing, taxiing, parking and take off. Potential risk to aviation from [e.g. <i>dedicated anti-aviation weaponry, terrorist attacks</i>] at [airports].
Empfehlung mittleres abstraktes Risiko/ Recommendation: medium abstract risk	Civil German air operators are advised to take potential risk into account in their risk assessment and routing decisions within FIR [XXXX] below FL [XXX] including landing, taxiing, parking and take off. Potential risk to aviation from [e.g. <i>dedicated anti-aviation weaponry, terrorist attacks</i>] at [airports].
Aufhebung der Empfehlung, soweit noch nicht im AIC aktualisiert/Withdrawal of recommendation, if not yet updated in AIC	Federal Republic of Germany withdraws the advice for FIR [XXXX] effective from [dd.mm.yyyy]. AIC part [XX] will be revised at [dd.mm.yyyy].

4 Recommendations concerning flight operations

Recommendations are issued by the BMVI if a high abstract or medium abstract risk to civil aviation in a conflict zone has been identified.

Text:

5 Trigger NOTAM mit Hinweis auf Krisengebiete

Für einen großzügig bemessenen Übergangszeitraum, unter Berücksichtigung der Vorgaben aus § 26 a LuftVG, weist ein Trigger NOTAM auf die Veröffentlichung von Meldungen zu Krisenregionen im AIC hin. Dieses NOTAM wird alle 90 Tage durch die DFS verlängert und bleibt so in der Flugberatung.

Wortlaut:

Trigger NOTAM	For flights over or near conflict zones refer to the German Aeronautical Information Circular (AIC).
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5 Trigger NOTAM with reference to conflict zones

For a generously calculated transitional period, taking into account the requirements of Section 26 a LuftVG, a trigger NOTAM indicates the publication of notifications on conflict zones in the AIC. This NOTAM is extended by DFS every 90 days and thus continues to form part of pre-flight information.

Text:

6 Inhaltliche Informationen

NOTAM zu Krisengebieten werden überschrieben durch den Text: Hazardous Situation in [Country] / within the territory and airspace of [Country]. Es erfolgt die textlich codierte Einordnung der Meldung in drei Risikostufen (risk levels):

Level 1 (Empfehlung):

CIVIL GERMAN AIR OPERATORS ARE ADVISED TO TAKE POTENTIAL RISK INTO ACCOUNT IN THEIR RISK ASSESSMENT AND ROUTING DECISIONS [...]

Level 2 (Empfehlung):

CIVIL GERMAN AIR OPERATORS ARE ADVISED NOT TO PLAN AND CONDUCT FLIGHTS [...]

6 Content-related information

NOTAM on conflict zones are headlined by the text: Hazardous situation in [Country]/within the territory and airspace of [Country]. There is text-coded classification of the notifications into three risk levels:

Level 1 (recommendation):

CIVIL GERMAN AIR OPERATORS ARE ADVISED TO TAKE POTENTIAL RISK INTO ACCOUNT IN THEIR RISK ASSESSMENT AND ROUTING DECISIONS [...]

Level 2 (recommendation):

CIVIL GERMAN AIR OPERATORS ARE ADVISED NOT TO PLAN AND CONDUCT FLIGHTS [...]

Level 3 (Verbot):

CIVIL GERMAN AIR OPERATORS ARE PROHIBITED TO PLAN AND CONDUCT FLIGHTS [...]

Die betroffenen Fluginformationsgebiete werden benannt: WITHIN FIR(s) [NAME] (ICAO Code: [XXXX]). Kann eine weitere laterale Begrenzung des Gebietes vorgenommen werden, ist diese unter Angabe von Koordinaten, Luftverkehrsstraßen und/oder Wegpunkten vorzunehmen. Ist aufgrund der Bedrohungslage eine Eingrenzung des Gebietes in vertikaler Erstreckung (Höhe) möglich, erfolgt die Angabe einer Flugfläche: FL [XXX]. Über dieser ist das Gebiet nicht von der Meldung betroffen. Kann das Bedrohungsgebiet bestimmten Flugphasen zugeordnet werden, sind diese zu benennen: z.B. LANDING, TAXIING, PARKING AND TAKE OFF.

Danach wird die Ursache der Bedrohung für das Gebiet beschrieben: z.B.: POTENTIAL RISK TO AVIATION FROM DEDICATED ANTI-AVIATION WEAPONRY AND FROM TERRORIST ATTACKS.

Sofern aufgrund der benannten Ursache (z.B. TERRORIST ATTACKS) eine weitere Zuordnung auf bestimmte Flughäfen vorgenommen werden kann, werden diese nun in Zusammenhang mit der spezifischen Bedrohung benannt: z.B.: AT ALL AIRPORTS.

In allen Notfällen ist der Luftfahrzeugführer ermächtigt, von den unter Nr. 7 aufgeführten Verboten und Empfehlungen abzuweichen.

Kontakt

Anfragen zu Krisenregionen können gerichtet werden an: conflictzones@lba.de

7 Verbote und Empfehlungen

Level 3 (prohibition):

CIVIL GERMAN AIR OPERATORS ARE PROHIBITED TO PLAN AND CONDUCT FLIGHTS [...]

The affected flight information regions are named: WITHIN FIR(s) [NAME] (ICAO Code: [XXXX]). If a further lateral limit of the area can be made, this must be done by indicating coordinates, airways and/or waypoints. If, due to the threat situation, it is possible to delimit the area vertically (height), a flight level shall be specified FL[XXX]. Above this level, the area is not affected by the notifications. If the threat area can be assigned to certain flight phases, these must be designated, e.g. LANDING, TAXIING, PARKING AND TAKE-OFF.

The cause of the threat for the area is then described:

e.g.: POTENTIAL RISK TO AVIATION FROM DEDICATED ANTI-AVIATION WEAPONRY AND FROM TERRORIST ATTACKS.

If a further assignment to specific airports can be made on the basis of the named cause (e.g. TERRORIST ATTACKS), these are now named in connection with the specific threat:

e.g.: AT ALL AIRPORTS.

In all emergencies, the pilot is authorised to deviate from the prohibitions and recommendations listed under item 7.

Contact

Enquiries about conflict zones can be sent to: conflictzones@lba.de.

7 Prohibitions and recommendations

EMERGENCY SITUATIONS: IN AN EMERGENCY THAT REQUIRES IMMEDIATE DECISION AND ACTION FOR THE SAFETY OF THE FLIGHT, THE PILOT IN COMMAND MAY DEVIATE FROM THE PROHIBITIONS AND ADVISES LISTED BELOW TO THE EXTENT REQUIRED BY THAT EMERGENCY.

No.	Country FIR	Risk Level	Text	Date of Issue
1	Syria DAMASCUS (OSTT)	Level 3	Hazardous Situation in Syria Civil German air operators are prohibited to plan and conduct flights within FIR DAMASCUS (OSTT). Potential risk to aviation from state of war. Further information: Website of the Federal Ministry of Transport and Digital Infrastructure of Germany (www.bmvi.de/krisenmanagement)	15 OCT 2015
2	Yemen SANAA (OEJD)	Level 3	Hazardous Situation in Yemen Civil German air operators are prohibited to plan and conduct flights within FIR SANAA (OYSC). Potential risk to aviation from state of war. Exceptions are airway N315 between KUTVI and ASPUX, airway UL425 between BOVOS and ASPUX, airway UM551 between KIVEL and ANGAL and airway R401 between KIVEL and SUHIL. Further information: Website of the Federal Ministry of Transport and Digital Infrastructure of Germany (www.bmvi.de/krisenmanagement)	19 JUN 2015
3	Libya TRIPOLI (HLLL)	Level 3	Hazardous Situation in Libya Civil German air operators are prohibited to plan and conduct flights within FIR TRIPOLI (HLLL). Potential risk to aviation from state of war. Further information: Website of the Federal Ministry of Transport and Digital Infrastructure of Germany (www.bmvi.de/krisenmanagement)	09 APR 2019

4	Afghanistan KABUL (OAKX)	Level 1	Hazardous situation in Afghanistan Civil German air operators are advised to take potential risk into account in their risk assessment and routing decisions within FIR KABUL (OAKX) below FL330 including landing, taxiing, parking and take off. Potential risk to aviation from anti-aviation weaponry and from being subject to collateral damage due to attacks on non-civilian targets at all airports.	07 JUL 2018
5	Egypt CAIRO (HECC)	Level 2, Level 1	Hazardous situation in Egypt Civil German air operators are advised not to plan and conduct flights within the northern part of Sinai Peninsula (as part of FIR CAIRO (HECC)) below FL260 including landing, taxiing, parking and take off. Potential risk to aviation from dedicated anti-aviation and ground to ground weaponry. Affected part of Sinai Peninsula: East between 311800N 322000E and 293000N 324000E to FIR CAIRO (HECC) boundary. Civil German air operators are advised to take potential risk into account in their risk assessment and routing decisions within the southern part of Sinai Peninsula (as part of FIR CAIRO (HECC)) below FL260 including landing, taxiing, parking and take off. Potential risk to aviation from latent threats. Affected part of Sinai Peninsula: East between 293000N 324000E and 282000N 331500E and 273000N 341000E to FIR CAIRO (HECC) boundary.	20 MAY 2020
6	Iran TEHRAN (OIIX)	Level 1	Hazardous situation in Iran Civil German air operators are advised to take potential risk into account in their risk assessment and routing decisions within FIR TEHRAN (OIIX) including landing, taxiing, parking and take off. Potential risk to aviation from anti-aviation weaponry.	30 JAN 2020
7	Iraq BAGHDAD (ORBB)	Level 1	Hazardous situation in Iraq Civil German air operators are advised to take potential risk into account in their risk assessment and routing decisions within FIR BAGHDAD (ORBB) below FL260 including landing, taxiing, parking and take off. Potential risk to aviation from military operations and anti-aviation weaponry.	18 SEP 2017
8	Mali NIAMEY (DRRR)	Level 2	Hazardous situation in Mali Civil German air operators are advised not to plan and conduct flights within the territory and airspace of Mali (as part of FIR NIAMEY (DRRR)) below FL260 including landing, taxiing, parking and take off. Potential risk to aviation from dedicated anti-aviation weaponry and possible terrorist attacks at the airports Tombouctou (GATB), Gao (GAGO), Mopti (DAMB) and Kidal (GAKL).	16 AUG 2017
9	North-Korea PYONGYANG (ZKKP)	Level 1	Hazardous situation in North-Korea Civil German air operators are advised to take potential risk into account in their risk assessment and routing decisions within FIR PYONGYANG (ZKKP). Potential risk to aviation from ground to ground ballistic weaponry test firings without prior notice.	19 DEC 2019
10	Pakistan KARACHI (OPKR), LAHORE (OPLR)	Level 1	Hazardous situation in Pakistan Civil German air operators are advised to take potential risk into account in their risk assessment and routing decisions within FIR KARACHI (OPKR) and FIR LAHORE (OPLR) below FL260 including landing, taxiing, parking and take off. Potential risk to aviation from dedicated anti-aviation weaponry and possible attacks at all airports.	29 OCT 2020

11	Saudi-Arabia JEDDAH (OEJD)	Level 2, Level 1	<p>Hazardous situation in Saudi-Arabia</p> <p>Civil German air operators are advised not to plan and conduct flights within south west sector of FIR JEDDAH (OEJD) including landing, taxiing, parking and take off. Potential risk to aviation from dedicated ground to ground ballistic weaponry, unmanned aerial vehicle attacks and ongoing military operations.</p> <p>Affected area : Along FIR SANAA and FIR JEDDAH boundary waypoints NISMI – NABAN – NOBSU - NETAS - N18E48 - DCT N2030 E48 - DCT AMBAL - DCT IMRAM - DCT BOXIL - DCT NISMI.</p> <p>Civil German air operators are advised to take potential risk into account in their risk assessment and routing decisions within the remaining part of FIR JEDDAH (OEJD) including landing, taxiing, parking and take off. Potential risk to aviation from medium range ballistic missile assaults.</p>	07 OCT 2019
12	South-Sudan KHARTOUM (HSSS)	Level 1	<p>Hazardous situation in South-Sudan</p> <p>Civil German air operators are advised to take potential risk into account in their risk assessment and routing decisions within the territory and airspace of South Sudan (as part of FIR KHARTOUM (HSSS)) below FL260 including landing, taxiing, parking and take off. Potential risk to aviation from dedicated anti-aviation and ground to ground weaponry.</p>	26 AUG 2015
13	Somalia MOGADISHU (HCSM)	Level 2	<p>Hazardous situation in Somalia</p> <p>Civil German air operators are advised not to plan and conduct flights within FIR MOGADISHU (HCSM) below FL260 including landing, taxiing, parking and take off. Potential risk to aviation from dedicated anti-aviation weaponry, military operations and armed conflicts. Exception is airway UR401 between waypoints SUHIL and AXINA.</p>	04 FEB 2016