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Flugverbote und flugbetriebliche Empfehlungen zu Krisengebieten durch das Bundesministerium für Digitales und Verkehr (BMDV)

Flight prohibitions and recommendations concerning flight operations in conflict zones issued by the German Federal Ministry for Digital and Transport (BMDV)

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(nur in englischer Sprache)

1. Hintergrund

Seit dem Abschuss von Malaysian Airlines Flug MH17 am 17 JUL 2014 unterstützt das Luftfahrt-Bundesamt (LBA) das für den Erlass von Flugverboten nach § 26 a Absatz 1 Luftverkehrsgesetz (LuftVG) zuständige Bundesministerium für Digitales und Verkehr (BMDV) durch die Erstellung flugbetrieblicher Bedrohungs- und Risikoanalysen über Drittstaaten. Neben Flugverboten werden bei abgestufter Bedrohungslage Flugempfehlungen für Risikogebiete an deutsche Luftfahrzeugbetreiber ausgesprochen.

Übergeordneter Zweck ist der Schutz der nach § 1a LuftVG in der deutschen Luftfahrzeugrolle eingetragenen zivilen Luftfahrzeuge (oder ihnen gleichgestellten) auch außerhalb des Hoheitsgebietes der Bundesrepublik Deutschland.

Die Bewertungen des LBA erfolgen turnusmäßig sowie anlassbezogen bei Indikation.

Flugverbote und Empfehlungen erfolgen ausschließlich, wenn festgestellt wurde, dass Standards gemäß ICAO Annex 17 (Security - Luft Sicherheit) und sonstige eigene, zur Gefährdungsminimierung beitragende Maßnahmen in dem Drittstaat nicht ausreichend angewandt werden.

2. Veröffentlichung

Die Veröffentlichung von Flugverboten und flugbetrieblichen Empfehlungen erfolgt im Auftrag des BMDV durch die Deutsche Flugsicherung GmbH (DFS). Das Veröffentlichungsformat ergibt sich aus den Aeronautical Information Products der Internationalen Zivilluftfahrt-Organisation (ICAO) (ICAO Annex 15).

Jede Risikokommunikation zu einem Krisengebiet (englisch: conflict zone) erfolgt zunächst per Notice to Airmen (NOTAM) mit einer zeitlichen Befristung von maximal 90 Tagen (ICAO Annex 15, 6.3.2.2). Bei längerfristiger Gültigkeit wird das NOTAM in den Aeronautical Information Circular (AIC) überführt; das NOTAM wird aufgehoben. Im AIC verbleibt die Meldung solange, bis nach Bewertung des BMDV eine Veränderung des flugbetrieblichen Risikos eintritt und eine abweichende Risikokommunikation erforderlich macht. Änderungen werden per NOTAM angezeigt, soweit diese vor dem jeweils nächsten Veröffentlichungsstermin des AIC wirksam werden sollen (ICAO DOC 10066, 6.1.4.4 PANS AIMS).

Eine etwaige parallel veröffentlichte NOTAM-Information ist immer aktueller als der jeweils einschlägige Eintrag im AIC. Die Gültigkeit dieses AIC Eintrages erlöscht insoweit.

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1. Background

Since the downing of Malaysian Airlines flight MH17 on 17 July 2014, the German Federal Aviation Office (LBA) has been supporting the Federal Ministry for Digital and Transport (BMDV), which is responsible for issuing flight prohibitions in accordance with Section 26a(1) of the German Aviation Act (LuftVG), by preparing threat and risk analyses concerning third countries. In addition to flight prohibitions, flight recommendations for conflict zones based on tiered threat levels are issued for German aircraft operators.

The overriding purpose is the protection of civil aircraft (or equivalent) on the German aeronautical register in accordance with Section 1a of the German Aviation Act (LuftVG) outside the territory of the Federal Republic of Germany as well.

The LBA conducts its evaluations on a regular basis or if indicated by the situation.

Flight prohibitions and recommendations are only issued when it is ascertained that standards in accordance with ICAO Annex 17 (Security) and own or other measures contributing to reduce the threat in the third country are not being sufficiently applied.

2. Publication

DFS Deutsche Flugsicherung GmbH publishes the flight prohibitions and recommendations concerning flight operations on behalf of the BMDV. The publication format is derived from the Aeronautical Information Products of the International Civil Aviation Organisation (ICAO).

Any notification concerning risks in a conflict zone shall first be published by Notice to Airmen (NOTAM) with a time limit of 90 days. If the validity is longer, the NOTAM shall be transferred to the Aeronautical Information Circular (AIC); the NOTAM will be cancelled. The notification will remain in the AIC until the assessment of the situation by the BMDV shows that the risk concerning flight operations has changed and that a modified notification on the risk is required. Changes will be promulgated by NOTAM if they are to become valid before the next editorial deadline of the AIC. (ICAO DOC 10066, 6.1.4.4 PANS AIMS)

A NOTAM which is published in parallel is always more up to date than the relevant information in the AIC. Therefore, the information in the AIC becomes invalid.

Trigger-NOTAM mit Hinweis auf Krisengebiete:

Ein Trigger-NOTAM weist auf die Veröffentlichung von Meldungen zu Krisengebieten im AIC hin. Dieses NOTAM wird alle 90 Tage durch die DFS verlängert.

Wortlaut:

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

A Trigger NOTAM provides information on the publication of conflict zones in the AIC. This NOTAM is extended by DFS every 90 days.

3. Flugverbote und flugbetriebliche Empfehlungen des BMDV

Das BMDV erlässt Flugverbote und spricht flugbetriebliche Empfehlungen für die deutsche Zivilluftfahrt wie folgt aus: Flugbetriebliche Empfehlungen werden durch das BMDV ausgesprochen, wenn ein **hohes abstraktes oder mittleres abstraktes Risiko** für den zivilen Luftverkehr in einem Krisengebiet festgestellt wurde.

Flugverbote werden durch das BMDV ausgesprochen, wenn ein **konkretes Risiko** für den zivilen Luftverkehr in einem Krisengebiet festgestellt wurde. Wird für ein Krisengebiet ein Überflug-, Start- oder Landeverbot gemäß § 26 a LuftVG ausgesprochen, erlässt das BMDV auch eine Allgemeinverfügung, die auf der Webseite des BMDV veröffentlicht wird (§36II Nr.1 VwVfG).

3. Flight prohibitions and recommendations concerning flight operation

The BMDV issues flight prohibitions and recommendations concerning flight operations for German civil aviation as follows: Recommendations concerning flight operations are issued by the BMDV if a **high abstract or medium abstract risk** to civil aviation in a conflict zone has been identified.

Flight prohibitions are issued by the BMDV if a **concrete risk** to civil aviation in a conflict zone has been identified. If an overflight, take-off or landing prohibition is issued in accordance with Section 26a of the German Aviation Act (LuftVG), the BMDV will also issue a general order (Allgemeinverfügung), which is published on the website of the BMDV.

NOTAM zur Risikokommunikation:

NOTAM on information concerning risks

Risikostufen/Risk levels	
Empfehlung mittleres abstraktes Risiko (Stufe 1)/ Recommendation: medium abstract risk (Level 1)	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. dedicated anti-aviation weaponry, terrorist attacks) at (airports).]
Empfehlung hohes abstraktes Risiko/ Recommendation: high abstract risk (Level 2)	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. dedicated anti-aviation weaponry, terrorist attacks) at (airports).]
Flugverbot nach § 26a LuftVG (Stufe 3)/Flight prohibitions according to Section 26a LuftVG (Level 3)	Civil German air operators are prohibited to plan and conduct flights [within FIR (XXXX). Potential risk to aviation from (e.g. state of war).]
	Further information: website of the Federal Ministry for Digital and Transport of Germany (www.bmvi.de/krisenmanagement).

Aufhebung und Widerruf, soweit noch nicht im AIC aktualisiert/ Cancellation and revocation as far as not yet updated in the AIC	
Aufhebung der Empfehlung/ Cancellation of recommendation	Federal Republic of Germany withdraws the advice for FIR (XXXX) effective from (dd.mm.yyyy). AIC part (XX) will be revised on (dd.mm.yyyy).
Widerruf des Flugverbots/ Revocation of flight prohibition	Federal Republic of Germany withdraws the advice for FIR (XXXX) effective from (dd.mm.yyyy). AIC part (XX) will be revised on (dd.mm.yyyy).

Die Veröffentlichung der drei Risikostufen wird nach Möglichkeit durch eine einheitliche textliche Formulierung der jeweiligen Risikostufe eingeleitet. Danach werden die betroffenen Lufträume benannt ("WITHIN FIR(s) (NAME) ICAO Code: (XXXX) / WITHIN TERRITORY OF COUNTRY"). Kann eine weitere laterale Begrenzung des Gebietes vorgenommen werden, wird diese unter Angabe von Koordinaten, Luftverkehrsstraßen und/oder Wegpunkten vorgenommen. Ist aufgrund der Bedrohungslage eine Eingrenzung des Gebietes in vertikaler Erstreckung (Höhe) möglich, erfolgt die Angabe einer Flugfläche (FL[XXX]).

Kann das Bedrohungsgebiet bestimmten Flugphasen zugeordnet werden, werden diese benannt (z.B. "LANDING, TAXIING, PARKING AND TAKE-OFF").

Danach wird die Art der Bedrohung für das Gebiet angegeben (z.B.: "POTENTIAL RISK TO AVIATION FROM DEDICATED ANTI-AVIATION WEAPONRY AND FROM TERRORIST ATTACKS").

If possible, the publication of the three risk levels starts with a uniform text of the corresponding risk level. The affected airspace are then named ("WITHIN FIR(s) (NAME) ICAO Code: (XXXX) / WITHIN TERRITORY OF COUNTRY "). If the area can be further limited laterally, this will be done by indicating the coordinates, airways and/or waypoints. If despite the hazardous situation the area can be delimited vertically (height), a flight level will be specified FL[XXX].

If specific flight phases can be assigned to the area, these will be designated (e.g. "LANDING, TAXIING, PARKING AND TAKE-OFF").

The type of threat in this area is then described (e.g.: "POTENTIAL RISK TO AVIATION FROM DEDICATED ANTI-AVIATION WEAPONRY AND FROM TERRORIST ATTACKS").

Sofern aufgrund der Bedrohung (z.B. "TERRORIST ATTACKS") eine weitere Eingrenzung auf bestimmte Flughäfen vorgenommen werden kann, werden diese benannt (z. B.: "AT ALL AIRPORTS"). In Notfällen ist der Luftfahrzeugführer ermächtigt, von den Verboten und Empfehlungen abzuweichen.

If further assignments to specific airports can be made on the basis of the threat (e.g. "TERRORIST ATTACKS"), these will be designated (e.g.: "AT ALL AIRPORTS"). In emergencies, the pilot is authorised to deviate from the prohibitions and recommendations.

Kontakt:

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

Contact:

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

**4. Übersicht Flugverbote und flugbetriebliche Empfehlungen
(nur in englischer Sprache)**

**4. Overview of flight prohibitions and recommendations
concerning flight operations (only in English)**

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 ADVICE 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 for Digital and Transport of Germany (www.BMVI.DE/KRISENMANAGEMENT)	15 OCT 2015
2	Yemen SANAA (OYSC)	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 for Digital and Transport of Germany (www.BMVI.DE/KRISENMANAGEMENT)	19 JUN 2015
3	Libya TRIPOLI (HLLL)	Level 2	Hazardous Situation in Libya Civil German air operators are advised not to plan and conduct flights within FIR TRIPOLI (HLLL). Potential risk to aviation from missiles, unmanned aerial vehicle attacks, anti-aviation weaponry and ongoing military operations.	19 APR 2021
4	Afghanistan KABUL (OAKX)	Level 2, Level 1	Hazardous situation in Afghanistan Civil German air operators are advised not to plan and conduct flights within FIR KABUL (OAKX) below FL330. Potential risk to aviation from terrorist attacks, dedicated anti-aviation weaponry and missing civil-military air traffic coordination. Exceptions are flights at and above FL330. Civil German air operators are advised to take potential risk into account in their risk assessment and routing decisions. Potential risk to aviation from missing civil-military air traffic coordination.	15 DEC 2021

5	Egypt CAIRO (HECC)	Level 2	<p>Hazardous situation in Egypt</p> <p>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.</p> <p>Affected part of Sinai Peninsula: between 311800N 322000E and 293000N 324000E EAST to FIR CAIRO (HECC) boundary.</p>	13 JAN 2022
6	Iran TEHRAN (OIIX)	Level 1	<p>Hazardous situation in Iran</p> <p>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.</p>	30 JAN 2020
7	Iraq BAGHDAD (ORBB)	Level 2 Level 1	<p>Hazardous situation in Iraq</p> <p>Civil German air operators are advised not to plan and conduct flights within FIR BAGHDAD (ORBB) below FL260 including landing, taxiing, parking and take off. Potential risk to aviation from military operations, anti-aviation weaponry and possible terrorist attacks.</p> <p>Exception from this advice is the province as-Sulaimaniyya east of airway UM688 including Sulaimaniyah International Airport (ICAO: ORSU). Civil German air operators are advised to take potential risk into account in their risk assessment and routing decisions within the province as- Sulaimaniyya below FL260 including landing, taxiing, parking and take-off. Potential risk to aviation from dedicated anti-aviation weaponry and possible terrorist attacks.</p>	21 FEB 2022
8	Mali	Level 2	<p>Hazardous situation in Mali</p> <p>Civil German air operators are advised not to plan and conduct flights within the territory and airspace of Mali 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).</p>	16 AUG 2017
9	North Korea PYONGYANG (ZKKP)	Level 1	<p>Hazardous situation in North Korea</p> <p>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.</p>	19 DEC 2019
10	Pakistan KARACHI (OPKR), LAHORE (OPLR)	Level 1	<p>Hazardous situation in Pakistan</p> <p>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.</p>	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 southwest 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, anti-aviation weaponry and ongoing military operations.</p> <p>Affected area: From Waypoints NISMI - MISAM - DASEB - ALNES west along common FIR boundary between SANAA and JEDDAH to waypoint 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>	14 MAR 2022
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

AIC IFR 5/22 wird hiermit aufgehoben.

This AIC supersedes AIC IFR 5/22.