

ECAC DGCA

6 mei

**ONE HUNDRED AND FORTY-SECOND MEETING OF
DIRECTORS GENERAL OF CIVIL AVIATION**

(Paris, 6 May 2014)

PROVISIONAL AGENDA

Starting – 09:00 hours

- 1. Approval of the agenda**
- 2. Report on ECAC's Presidential activities**

Note: The President will report on his activities since DGCA/141 (12 December 2013) and his planned activities.

- 3. Report on ECAC Secretariat's activities**

Note: The Executive Secretary will report on:

- a) Secretariats' activities since DGCA/141, including the transition to the IPSAS accounting methodology; and*
- b) The implementation of tasks included on the "Action List".*

- 4. Update on recent EU developments**

Note: The delegation of Greece, whose country holds the EU Presidency for the first half of 2014, will report on the implementation of the latest EU initiatives. The European Commission will report on their current work priorities.

- 5. ICAO matters**

Note: The meeting will discuss:

- a) Recent developments in ICAO on the basis of the briefing of a member of the ICAO Council; and*
- b) Updated "Best Practice Document" for European coordination.*

- 6. External Relations**

Note: The President will present an overview of current relations with international partners, in particular the proposed Memorandum of Understanding (MoU) with India and China, the Cooperation Arrangements with Malaysia, Indonesia and Kazakhstan, and a draft Annex to the MoU with Australia. In addition, the President will report on the main outcomes of the CC/US/17 meeting and present a proposal for a new Cooperation Arrangement with CANSO.

- 7. Environmental matters**

Note: The Focal Point for Environmental matters, will report on latest developments in the field of environment.

8. Special Projects Fund

Note: The Executive Secretary will report on the status of implementation the 2013 and 2014 Special Projects, and submit proposals for new projects to be financed from the Fund in 2014.

9. Training matters

Note: The Focal Point for Training, _____ will report on the activities of the Network of Training Organisations in 2014.

10. Safety matters

Note: The Focal Point for Safety, Mr _____, will report on the analysis on the possibilities regarding an ECAC-wide Occurrence Reporting System, on the discussions with the European Commission and EASA on the "Safobench" project and on the European priorities for the ICAO High Level Safety Conference in early 2015. He will also present a proposal for considering the endorsement of the ACI APEX Program. The Director of JAA-TO, _____ will present the study « Identification of Good Practice in the Training of National Safety Oversight Inspectors ».

11. Security and Facilitation matters

Note: The Focal Point for Facilitation and Security, _____ will report on recent ECAC activities in the field of security and facilitation.

12. Preparations for ECAC/EU Dialogue 2014

Note: The meeting will review the preparations for the ECAC/EU Dialogue (3-4 July 2014, Vienna), including its draft programme.

13. Preparations for DGCA/63(SP)

Note: The Director General of Civil Aviation of Croatia, _____ will brief the meeting on the preparations for the Special Meeting in Dubrovnik on 28 August-1 September 2014.

14. Any other business

a) *Calendar of ECAC's 2014 meetings*

Van:
Verzonden:
Aan:
Onderwerp: Fv Ukraine
Bijlagen: Draft Ukranian Statement V2.docx

d.d. 6 mei 2014

Dear All,

Please find enclosed the Draft Statement submitted by Ukraine at today ECAC DGCA/142 meeting and to be endorsed by Directors General.

Kindly send your comments, if any, by **Friday 9 May** close of business.

Thank you

Kind regards

This message has been scanned for malware by Websense. www.websense.com

P Consider the environment before printing this e-mail

Van:
Verzonden: maandag 11 mei 2015 9:57
Aan:
Onderwerp: FW: ECAC's endorsement of Statement submitted by Ukraine at ECAC DGCA/142
Bijlagen: EC 921.2—0482.pdf

Met vriendelijke groeten

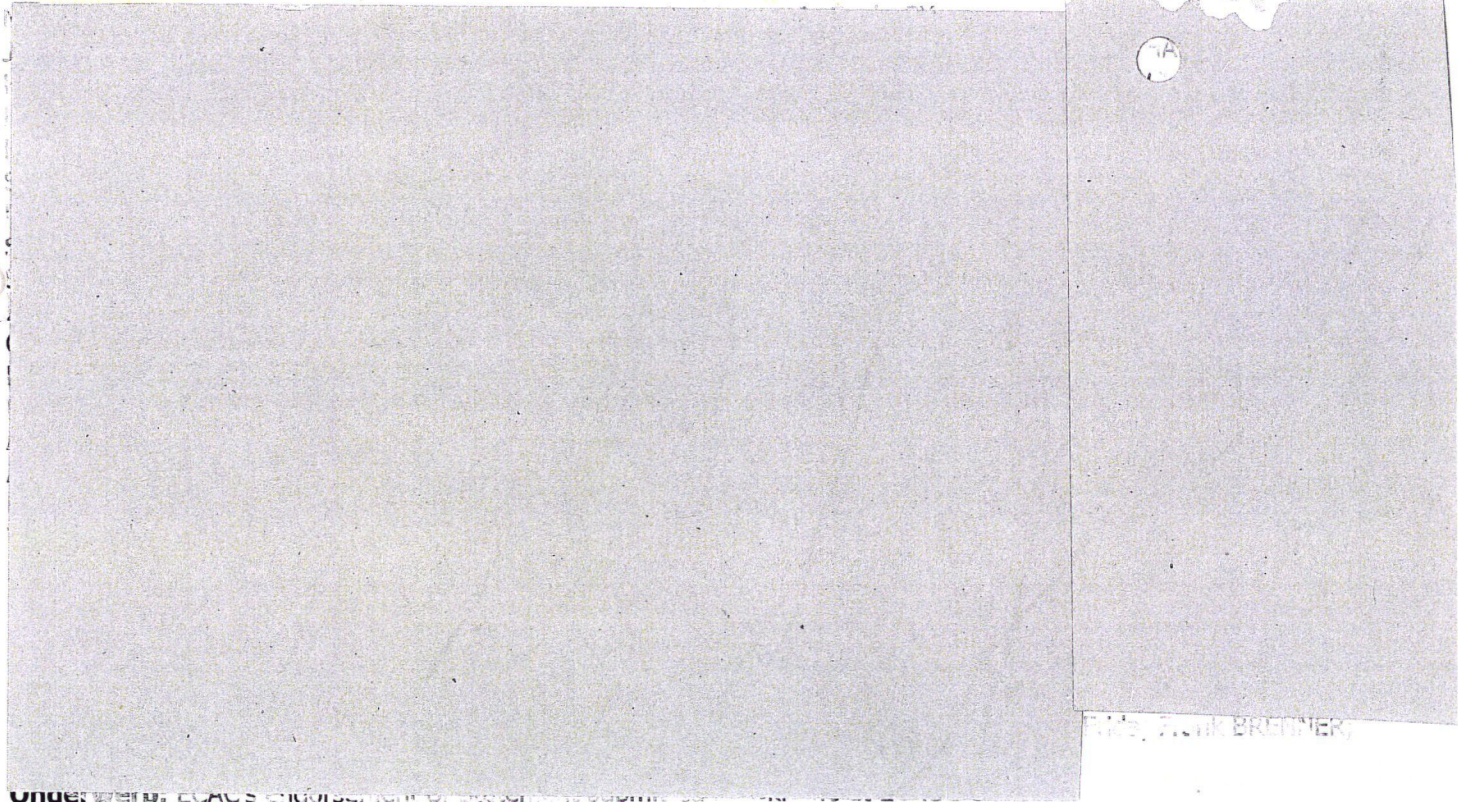
.....
Ministerie van Infrastructuur en Milieu
Directoraat-Generaal Bereikbaarheid
Directie Luchtvaart - afdeling Economie en Luchtvaartpolitiek
Plesmanweg 1 | 2597 JG | Den Haag
Postbus 20904 | 2500 EX | Den Haag
.....

T



Ministerie van Infrastructuur en Milieu

Van
Verzonden: maandag 19 mei 2014 15:38
Aa



Onderwerp: ECAC's endorsement of Statement submitted by Ukraine at ECAC DGCA/142

Dear All,
Please find enclosed letter from the Executive Secretary of ECAC on the above-mentioned subject.
With best regards

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Pensez à l'environnement avant d'imprimer ce courriel.*

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When replying, please quote:

EC 9/21.2—0482

19 May 2014

Subject: ECAC's endorsement of Statement submitted by Ukraine at ECAC DGCA/142

Dear Directors General,

I wish to inform you that the Statement submitted by Ukraine at ECAC DGCA/142 meeting on 6 May, and transmitted to you for consultation via electronic mail, has been widely supported by Directors General, with one abstention, and consequently must be considered endorsed by ECAC.

You will find the final text attached.

Yours faithfully,

Executive Secretary of ECAC

To : Directors General of Civil Aviation of ECAC Member States
cc. : EASA, EUROCONTROL, European Commission and ICAO

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**EUROPEAN CIVIL AVIATION CONFERENCE
CONFERENCE EUROPEENNE DE L'AVIATION CIVILE**

Statement submitted by Ukraine at ECAC DGCA/142 and endorsed by Directors General of ECAC

The European Civil Aviation Conference,

Acting in close coordination with ICAO, acknowledges the contents of the UN General Assembly Resolution A/RES/68/262 on 27 March 2014 "Territorial integrity of Ukraine" and the Council of Europe Parliamentary Assembly Resolution 1988 (2014);

Reaffirms the responsibility of Ukraine on the airspace within the Simferopol Flight Information Region, established in accordance with regional agreements approved by the ICAO Council Decision of 17 February 1997 (№ EUR/NAT96/38-ATS);

Is deeply concerned about the sustained safety and efficiency of air navigation services in the aforementioned airspace;

Calls upon all States to adhere to the existing international agreements and arrangements in order to prevent safety risks to international air navigation within and adjacent to the airspace under the responsibility of Ukraine;

Confirms its continued support to Ukraine and its ongoing endeavors to ensure the high level of aviation safety and efficiency within the airspace under the responsibility of Ukraine;

Requests the President and Executive Secretary of ECAC to closely monitor all relevant developments and inform the ECAC Member States accordingly.

Done in Paris, on 6 May 2014

an:



Ministerie van Infrastructuur en Milieu

Van: ecac@ceac.org

Verzonden: donderdag 22 mei 2014 16:08

Onderwerp: DGCA/142-Summary of Discussions

Dear All
Please note that DGCA/142-SD has been uploaded on the ECAC website.
Best regards,

Assistant to the Executive Secretary
European Civil Aviation Conference
Te
Fa

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Provisional Council

41

22-mei

41st Session

Europa Conference Room
Agency Headquarters
Rue de la Fusée, 96
1130 BRUSSELS

22 May 2014
Commencing at 9.30 a.m.

DRAFT AGENDA

1. Agenda and opening remarks
2. President's and Director General's keynote addresses
3. Network Manager Report
4. European Context and Developments:
 - EUROCONTROL contribution to SESAR
 - S-JU update
 - Shared ATS Services
 - Centralised Services
5. Remote Tower Concept
6. Advanced Flexible Use of Airspace Concept
7. Preparation for the ICAO Meteorology Divisional Meeting 2014
8. EUROCONTROL Vision and Strategy – update
9. Annexes to the EUROCONTROL-EU High Level Agreement – update
10. ANSB Report
11. MAB Report
12. Financial and Administrative matters:
 - SCF Report
 - Agency Business Plan 2015-2019
13. Reports from statutory bodies:
 - PRC
 - SRC
 - CMIC

PROCEDURAL ITEMS

14. Outstanding requests for approval by correspondence
15. Dates and suggested items for PC/42
16. Any other business

RESTRICTED SESSION

- Staff, administrative and procedural issues

AD HOC COMMISSION

Approval of draft decisions submitted by the Provisional Council, where appropriate.

Secretary's Note to the Members of the Provisional Council:

Members of the Provisional Council attending the Ad Hoc Commission Session as delegates are asked to ensure that they are duly mandated to act and vote on behalf of their respective Commission representative, and to notify the Secretary accordingly.

5. ATS IN SIMFEROPOL FIR

- 5.1. The political situation in Crimea has led to an unsafe situation in the Simferopol FIR, as a result of the publication by the Russian Federation of a series of NOTAMs unilaterally modifying the Simferopol FIR, which is under the responsibility of Ukraine, and their intent to provide air traffic services (ATS) within this airspace.
- 5.2. Consequently, due to the unsafe situation where more than one ATS provider may be controlling flights within the same airspace ICAO issued a State letter stating that consideration should be given to measures to avoid the airspace and circumnavigate the Simferopol FIR with alternative routings.

- 5.3. The Network Manager has responded to Ukraine NOTAMs closing a number of ATS routes by rejecting Flight Plans incorporating these routes. It held teleconferences with AOs explaining the alternative routing options available and with ANSPs in the region concerned to address impact and mitigation actions necessary. NM has also recommended that airspace users avoid flight planning on all remaining routes in this FIR. EASA has issued a Safety Information Bulletin in line with ICAO and NM positions.
- 5.4. Currently a number of flights (approximately 50 per day, most of them Russian carriers) are still overflying the Simferopol FIR and operating on the closed airports. Several hundreds of flights are currently avoiding the Simferopol FIR mainly on-loading Turkey, Romania and Bulgaria airspaces. There is no major network impact in terms of ATFM delays but there is a cost for Airspace Users in terms of flight efficiency.
- 5.5. The Russian Federation requested a meeting with EUROCONTROL on the matter. After consultation with Ukraine, it was agreed to make a counter proposal for a trilateral meeting between Ukraine, EUROCONTROL and the Russian Federation in the 3rd week of May. No response has been received to date.

NETWORK MANAGER REPORT

- Safety of air navigation within the airspace over the territory of the Autonomous Republic of Crimea and over the High Seas under the responsibility of Ukraine. -

- Submitted by Ukraine -

Over the last two months the Russian Federation committed a number of offences with a view to undermine existing international order and stability and damage the safety of international civil aviation.

Currently, the Russian Federation has unlawfully captured radio frequency resources of Ukraine, assets and property belong to the Ukrainian State Air Services Enterprise (UkSATSE) in the Autonomous Republic of Crimea (ARC) and declared the unilateral decision to provide air navigation services in the portion of the Simferopol Flight Information Region (FIR).

To ensure continuity of air traffic services and to meet the required level of safety, Ukraine has organised ATC services provision over the High Seas by means of devoted controllers' working positions at Odesa and Dnipropetrovs'k Air Traffic Control Centres, whose infrastructure and technical equipment allows ensuring the appropriate level of safety for international air navigation.

The State Aviation Administration of Ukraine has issued and published Notices to Airmen (NOTAMs) imposing the operational ban for flights to/from the "Simferopol" aerodrome and closure of the airspace over the entire territory of the ARC up to flight level 290 with effect from 12 March 2014.

However, the Russian airlines continue to operate to the closed aerodrome "Simferopol" performing flight operations via the prohibited area over the ARC.

As of 7 April 2014, more than 1450 violation cases related incidents have been recorded and duly notified to ICAO and the Russian Federation.

Starting from 3 April 2014, more than 200 attempts of unlawful interferences in ATC provision (namely ATC ground-air radio communications) including the illegal use of the emergency frequency (121.5) have been recorded by UkSATSE in Simferopol FIR. Such illegal activities are being performed by an unrecognised organisation "Krymaeronavigatsiya" under the call sign "Simferopol - Control".

The international aviation community condemned the aggressive unlawful actions by the Russian Federation.

EUROCONTROL, in its letter dated 28.3.2014 № DGD14_0484, states that the Organisation will continue to follow international law and will not recognise any unilateral declaration of air navigation service provision over any part of Ukrainian

airspace and assured that no action from EUROCONTROL could be interpreted as recognition of the 'Republic of Crimea' as a Russian Federation territorial entity.

The President of the ICAO Council urged the Russian Federation to act in accordance with ICAO provisions established for the safety of international civil flights and not to implement the changes contained in the aforementioned NOTAMs.

EURNAT ICAO determines that the Simferopol FIR is a part of the airspace under the responsibility of Ukraine.

The European Civil Aviation Conference (ECAC) confirms its continued support to Ukraine and its ongoing endeavours to ensure the high level of aviation safety and efficiency within the airspace under the responsibility of Ukraine (Annex 1).

The European Aviation Safety Agency (EASA), through its Safety Information Bulletin (SIB), strongly recommends airspace users to avoid specific airspace and circumnavigate Simferopol FIR using available alternative routes.

With a view to clear and calm the situation over Simferopol FIR, ICAO held a consultation meeting between the delegations of Ukraine, the Russian Federation and ICAO in the ICAO Office in Paris on 8 April 2014.

Unfortunately, the representatives of the Russian Federation ignored the ICAO recommendations to stabilise the situation and eliminate the threat to the air safety of international civil flights in the region.

Moreover they insisted on their requirements to amend the Air Navigation Plan – European Region with regard to delineation of the Simferopol FIR's boundaries.

A further consultation meeting with the Russian Federation took place in Brussels on 20 May 2014 and the outcome of the meeting will be reported during the Session of Provisional Council.

Acting in line with the recommendations of international aviation institutions and with the intention to prevent further violations of aviation safety by the Russian Federation, Ukraine has been forced to close the airspace over the territory of the ARC, including the specified routes. Such a measure results in damages for both Ukrainian and foreign airlines and for air navigation service providers.

However, taking into account the current situation and aiming to meet the demands of the international airlines, Ukraine may conclude that it is appropriate to open a part of the closed routes over the High Seas. NOTAM A0902/14 was published on 8 May 2014 (Annex 2).

Taking into consideration all above mentioned, and

Acting in the spirit of the UN general Assembly resolution A/RES/68/262 of 27 March 2014 "Territorial integrity of Ukraine", item 18 of Council of Europe Parliamentary Assembly resolution 1988 (2014), and

Having regard to the illegal actions of the Russian Federation in respect of the territorial integrity of Ukraine, which entailed unlawful attempts to unilaterally claim the airspace over the territory of the ARC and the international airspace under the responsibility of Ukraine within Simferopol FIR,

1. Ukraine declares its strong protest against the illegal actions of the Russian Federation, which threatened the safety of international air navigation and appeals to EUROCONTROL as a European intergovernmental organisation for the safety of air navigation to continue to act in line with the provisions of the UN general Assembly resolution A/RES/68/262 of 27 March 2014 "Territorial integrity of Ukraine", item 18 of Council of Europe Parliamentary Assembly resolution 1988 (2014).
2. Ukraine expresses its appreciation to EUROCONTROL for its efforts to ensure safety of air traffic services provision in the airspace of Ukraine and over the High Seas under the responsibility of Ukraine, and particularly:
 - for the operational support within the framework of activities of Network Manager;
 - for the establishing by DPS of the list of remedial actions including direct support to State and support projects for potential EU financing;
 - for the firm position to refrain from any kind of meetings which concern the issues of Ukrainian airspace with the Russian Federation representatives without the presence of Ukraine;and calls on EUROCONTROL to continue its valuable support to Ukraine to ensure the high level of aviation safety within the airspace under responsibility of Ukraine.
3. Ukraine invites EUROCONTROL to reaffirm the responsibility of Ukraine on the airspace within the Simferopol Flight Information Region, established in accordance with regional agreements approved by the ICAO Council Decision of February 1997 (№ EUR/NAT96/38-ATS).
4. Ukraine also invites EUROCONTROL to issue recommendations to all airspace users to utilise the frequencies of Odesa and Dnipropetrovsk ACCs that are published by the State Aviation Administration of Ukraine in relevant NOTAMs in order to eliminate the cases of unlawful interference of the Russian Federation to the ATC ground-air radio communication.
5. Ukraine appeals to the Members of Provisional Council to address their ICAO Council representatives in order to support the EUROCONTROL position and to urge the Russian Federation to comply with its obligations under existing international agreements as an ICAO Member State.

Ukraine would like to invite the Provisional Council to consider the Flimsy submitted by Ukraine and take the appropriate actions.

Dear colleagues, please be ensured that Ukraine, as a fully pledged member of the international aviation community, is faithfully fulfilling its obligations in accordance with the principles and norms of International Law and provisions of the EUROCONTROL Convention.



EUROPEAN CIVIL AVIATION CONFERENCE

CONFÉRENCE EUROPÉENNE DE L'AVIATION CIVILE

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Yours faithfully,

Executive Secretary of ECAC

To : Directors General of Civil Aviation of ECAC Member States
cc. : EASA, EUROCONTROL, European Commission and ICAO

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Confirms its continued support to Ukraine and its ongoing endeavors to ensure the high level of aviation safety and efficiency within the airspace under the responsibility of Ukraine;

Requests the President and Executive Secretary of ECAC to closely monitor all relevant developments and inform the ECAC Member States accordingly.

Done in Paris, on 6 May 2014