



International Civil Aviation Organization

MIDANPIRG/21 & RASG-MID/11 Meetings

(Abu Dhabi, UAE, 4 – 8 March 2024)

Agenda Item 5.6: Future Work Programme

OVERFLIGHT CLEARANCE PERMISSION – FILE N FLY

(Presented by IATA)

SUMMARY

This paper presents users' proposal for a review of overflight permission (OVFC) process and requirements by States in order to ensure efficient utilization of airline resources, optimization of network planning and performance, resilience and sustainable aviation. States' requirement for OVFC are no longer fit-for-purpose and require a complete overhaul. There is a need to adopt the 'File n Fly' concept where the ICAO Flight Plan serves as the alternative means for overflight permission.

Action by the meeting is at paragraph 3.

REFERENCE

- ICAO ANNEX 9

1. INTRODUCTION

1.1 The requirement for overflight clearance is based on The Chicago Convention of 1944 and have never been reviewed and basic principles of international law.

1.2 Although every States has, to the exclusion of other States, the unilateral and absolute right to permit or deny entry into the area recognized as its territory and similar right to control all movements within such territory; the growth in aviation and the economic benefits thereof mostly experienced in the Middle East, demands a new and sustainable approach.

1.3 Currently, airlines invest considerable resources, in planning and securing OVFC permits at every start of winter/summer schedule and on ad-hoc basis whenever there are airline disruptions or contingency coordination events.

1.4 These resources are further stretched by the non-harmonized and fragmented and inefficient State-specific process that add to the complexity of airline fleet optimization and network performance which may require unexpected change of aircraft, route change and/or flight crew.

1.5 Therefore, there is a need for a paradigm shift in the handling and processing of OVFC permission that is simplified and standardized in order to ensure safety, operational efficiency, resilient and sustainable aviation in the region.

1.6 Additionally, regulators are enforcing administrative charges for administration and processing of OVFC against Article 15 of the Chicago Convention which states that: “No fees, dues, or other charges shall be imposed by any contracting State in respect solely of the right of transit over or entry into or exit from its territory of any aircraft of a contracting State or persons or property thereon”.

2. DISCUSSION

2.1 OVFC permission process requirements are inflexible, labor intensive and time consuming.

2.2 OVFC requirements are manual and therefore prone to errors.

2.3 Lack of visibility of progress and tracking of the OVFC permits leads to flight delays, airspace avoidance, re-route or cancellation.

2.4 OVFC are inflexible and specific to entry/exit points that reduce fuel and environmental efficiencies.

2.5 Challenges include, but are not limited to long lead time to obtain OVFC, short validity period, inaccessible OVFC offices

2.6 The best practice is the implementation of the ‘File n Fly’ concept based on ICAO FPL which contains the data required by the current OVFC.

Note: * All information required by the State for OVFC is available in the ICAO FPL

3. ACTION BY THE MEETING

3.1 The meeting is invited to note the information contained in this paper.