Definition of State Aircraft

The eleventh session of the Provisional Council, composed of civil and military representatives, endorsed the principles used to identify State Aircraft for ATM purposes.

Decision of the Provisional Council session 11 on 12/07/01

"The Civil-Military Interface Standing Committee (CMIC) identified the need to clarify what would be considered as State Aircraft within the context of European Air Traffic Management, particularly in relation to exemption policies and special procedures. In formulating the principles, careful consideration was given not to interfere with the general provisions of the Chicago Convention, article 3b, and to fully preserve the sovereignty of every State to define what State Aircraft are within their national borders. The sole purpose of the principles are to give clear guidance to the Air Navigation Service Providers on what constitutes State Aircraft in the European ATM environment."

The principles have been formulated as follows:

**Principle 1**
For ATM purposes and with reference to article 3(b) of the Chicago Convention, only aircraft used in military, customs and police services shall qualify as State Aircraft. Accordingly:
- Aircraft on a military register, or identified as such within a civil register, shall be considered to be used in military service and hence qualify as State Aircraft;
- Civil registered aircraft used in military, customs and police service shall qualify as State Aircraft;
- Civil registered aircraft used by a State for other than military, customs and police service shall not qualify as State Aircraft.

**Principle 2**
A reporting mechanism should be available for cases where operators are suspected of having incorrectly claimed that their aircraft was used in military, customs and police services

**Principle 3**
States shall ensure compliance with the above mentioned recommendations and investigate reports of incorrect claims

**Principle 4**
States shall develop provisions/procedures as part of their rules of the air, and reports referred to in Principle 3 above be acted upon in accordance with Article 12 of the Chicago Convention.