As a Member of the European Union, SES Regulations are binding and directly applicable to Belgium. As referred to in Article 7(2) of the Airspace Regulation (EC) No 551/2004 and Article 8 of Regulation (EC) No 2150/2005, and further to the formalised request of the Commission to EUROCONTROL dated 31 July 2008, Part III-Chapter 15 of BE LSSIP 2010-2014 below fulfils Belgium’s obligation to report to the European Commission on the application of the concept of the flexible use of airspace in respect of the airspace under its responsibility for the period from 1st January 2009 till 31st December 2009.

For Belgium

M. DE CLIPPEL,
General adviser,
SSC representative

Date: 08 January 2010

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**Chapter 15 - Annual Report on the Application of FUA**

**15.1 National organisation and responsibilities at the 3 levels of FUA**

**15.1.1 At Strategic Airspace Management Level 1**

<table>
<thead>
<tr>
<th>FUA Level 1 Implemented:</th>
<th>Y</th>
<th>The State has established appropriate FUA Level 1 mechanisms, e.g. High Level Airspace Policy Body:</th>
<th>Y</th>
<th>DIRCOM / BELANC</th>
</tr>
</thead>
</table>

Co-ordination between Defence (Air Component), Belgocontrol and BCAA is mainly dealt with by the DIRCOM (Committee of Directors) and in the BELANC (Belgian Air Navigation Committee).

Representatives of the BCAA, Belgocontrol and Defense are members of the DIRCOM; in 2009, actions were undertaken to integrate a representative of MUAC within the group.

The mentioned BELANC is made up of high-level delegates of the BCAA (Belgian Civil Aviation Authority), Belgocontrol, Defence and the Maastricht Upper Area Control Center (MUAC). The Belgian Air Transport Association (BATA) in name of the Belgian commercial airlines and the Royal Belgian Aero Club (ACRB-KBAC) are also represented within the group. In addition, the BELANC can at all times turn for advice to any person or body whose help is deemed useful.

The scope of the Committee is to deal with all ANS matters for which co-ordination between civil and military service providers and/or airspace users is necessary to ensure safe and efficient air navigation.

His main tasks consist to:

- co-ordinate and prepare high-level decisions on air navigation and in particular on airspace structure,
- prepare proposals for signature by appropriate authority,
- address national consultation procedures on rules, specifications or guidelines,
- co-ordinate the participation of the BE delegates in international ANS meetings and debriefings,
- prepare the decision-making for the DIRCOM on matters defined in scope as well as any item requested by DIRCOM,
- establish yearly a general work scheme to be submitted to the DIRCOM,
- address any other matter directly related to the BELANC.

**Measures established to ensure consistency between:**

- **ASM and ATFM:** Y

| Measures established to ensure consistency between: | Y | The BELANC is in charge to ensure and verify the consistency between ASM and ASM. When deemed necessary, specific ad-hoc meetings are organized... The AMC and FMP functions are not (yet) integrated but elbow-to-elbow co-ordination is daily assumed. |
|---------------------------------------------------|---|-----------------------------------------------------------------------------------------------|---|----------------|

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Part III - Chapter 15-1

Released Issue
<table>
<thead>
<tr>
<th>agasas</th>
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<th>44as</th>
<th>44as</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ASM and ATS:</strong></td>
<td>Y</td>
<td>High level co-ordination is assumed by the BELANC. When needed, ad-hoc co-ordination meetings are organized. CIV and MIL constraints are taken in account at all levels of decisions.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The State has notified the Commission the identified persons/organisations responsible for all the tasks listed in Art. 4.1 of the FUA Regulation:</td>
<td>Y</td>
<td>Date and Reference of the Communication:</td>
<td>July 2004</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The State has ensured that the following tasks related to ASM Level 1 are performed by the responsible body (referred to above):

- Regularly review and address users’ requirements | Y |

  Through BELANC and ad-hoc meetings

- Approve activities which require airspace reservation or restriction | Y |

  Through BELANC and based on approval of safety cases by national NSA (BSA-ANS)

- Define temporary airspace structures and procedures to offer multiple airspace reservation and route options | Y |

  By BCAA (Airspace and Airports Directorate) on basis of BSA-ANS approval

- Establish criteria and procedures providing for the creation and use of adjustable lateral and vertical limits of the airspace | Y |

  On request, and for short periods, lateral limits may be adapted; these temporary changes are always co-ordinated and when deemed necessary published by NOTAM or AIP SUP.

  TSAT/TRA’s are designed in modular providing for flexible airspace allocation at Level 3 according to real MIL requirements

- Assess the national airspace structures and route network with the aim of planning for flexible airspace structures and procedures | Y |

  At least 3 times a year and on request

- Define specific conditions under which the responsibility for separation between civil and military flights rests on the ATS units or on the controlling military units | Y |

  Whenever needed coordination procedures between the civil and military ATS units are applied as described in Letters of Agreement. The handling of Air Defence flights is subject to specific operational arrangements and procedures described in Letters of Agreement.

- Establish mechanisms to assess performance of FUA operations | Y |

  There is not a formal procedure but co-ordination is assumed with the different parties concerned (BCAA, ANSP’s and Mil Air Operators). Within the BCAA, a specific section has the responsibility to co-ordinate with involved organizations.

- Based on the outcome of this assessment, periodically review and revise as necessary, airspace procedures | Y |

  Yearly consultation of all national users + BELANC

- Establish mechanisms to archive data on the requests, allocation and actual use of airspace structures for further analysis and planning activities | Y |

  Internal database

Apart from Danger Areas over the High Seas and Prohibited areas, the State has abandoned application of permanent airspace restrictions: | Y |

  There is no permanent airspace restriction for an exclusive use of civil and/or military air traffic. Some zones are restricted/prohibited for security reasons.

Changes since previous FUA Report: | N/A |
### 15.1.2 At Pre-tactical Airspace Management Level 2

<table>
<thead>
<tr>
<th></th>
<th>Y</th>
<th>Airspace Management</th>
<th>Y</th>
<th>Joint Civil-Military Cell:</th>
<th>Y</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implemented:</td>
<td></td>
<td>Cell - AMC:</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The joint civil-military Airspace Management Cell (AMC) manned up on a H24 basis allocates the required airspace on a day-to-day basis to the users in a decisive, timely and efficient manner and promulgates each day to all parties concerned the airspace allocation decision for the following day by transmitting the Airspace Use Plan (AUP).

If necessary, changes to the pre-tactical airspace allocation can be made by the AMC through the publication of an Updated AUP (UUP). This UUP notifies the changes to the airspace allocation on the actual day of operations. The AUP and UUP are collected by the Central Airspace Data Function (CADF) that consolidates the Conditional Route (CDRs) information. The CADF compiles a daily Conditional Route Availability Message (CRAM), which indicates the overall availability of CDRs for flight planning in the ECAC States.

The airspace is allocated in accordance with the conditions and procedures defined in Article 4.1:  

<table>
<thead>
<tr>
<th></th>
<th>Y</th>
<th>See above</th>
</tr>
</thead>
<tbody>
<tr>
<td>The established AMC (referred to above) is provided with adequate dedicated ASM supporting systems to perform and communicate the pre-tactical airspace management tasks:</td>
<td></td>
<td>See above. A dedicated support tool is available to the AMC co-ordinator to assist him in airspace planning and allocation as to perform and communicate the airspace management tasks...</td>
</tr>
</tbody>
</table>

**Changes since previous FUA Report:** N/A

### 15.1.3 At Tactical Airspace Management Level 3

<table>
<thead>
<tr>
<th></th>
<th>Y</th>
<th>All involved ANSP (Belgocontrol, MUAC, Defence) have established enhanced supporting co-ordination equipment and real-time civil/military co-ordination procedures in order to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>FUA Level 3</td>
<td>Implemented:</td>
<td>- activate, deactivate or reallocate in real-time the airspace allocated at Level 2,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- resolve specific airspace problems and traffic situations between civil and military ATS units and controllers,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- provide access to all necessary flight data including controller's intentions,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- fully exploit the FUA Concept at Levels 1 and 2,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- make use of the FUA3+ concept.</td>
</tr>
</tbody>
</table>

This improved Level 3 is introduced since 2005 for the Neuchâtel and the Brussels areas, which means that when the area is booked for military training flights on Level 2, and 3 hours prior the execution, the airspace will not be used, the area is made available for Civil ANSP’s in the benefit of GAT.

**The State has ensured that the relevant ATS Units and controlling military units:**

- establish coordination procedures and communication facilities to allow the real-time activation, deactivation or reallocation of airspace allocated at pre-tactical level:  
  Y

- Outlined within LoAs, which are established between all involves ANSPs.

- Supervisor to supervisor co-ordination

- establish coordination procedures to ensure the timely and effective exchange of any modification of planned airspace reservations and the adequate notification to all affected users:  
  Y

- supervisor to supervisor co-ordination

- establish coordination procedures and supporting systems to ensure safety when managing interactions between civil and military flights:  
  Y

As above

- establish coordination procedures to permit direct communication of relevant information to resolve specific traffic situations where civil and military controllers are providing services in the same airspace:  
  Y

Specifically:

- Position of aircraft  
  Y

By data- and communications links between involved ACCs
<table>
<thead>
<tr>
<th>- Flight intention of aircraft (e.g. exchange of Flight Plan data)</th>
<th>Y</th>
<th>By automatic and revised exchange of data, including the traffic intentions, between involved ACCs</th>
</tr>
</thead>
</table>

All airspace reservations are released as soon as activities having caused their establishment cease: Y

Direct communications between supervisors

When OAT traffic starts later than planned on Level 2, or ends earlier, the OAT controlled airspace is made available for GAT. When there is very limited OAT traffic expected, e.g. one formation has to come back from abroad, the OAT airspace is made available for GAT use, on the condition that the OAT traffic receives the status of "co-ordinated traffic" where the OAT flight gets priority over the all GAT. Once there is a software tool available to have a correct status of all OAT controlled airspace made available for GAT use in the 3 radar centres. This is actually a responsibility of DCMAC of Eurocontrol.

Changes since previous FUA Report: N/A

## 15.2 Cooperation between Member States at the 3 levels of FUA

### 15.2.1 At Strategic Airspace Management Level 1

The State coordinates its airspace management policy with the respective States to jointly address the use of cross-border airspace structures: Y

Co-ordination is performed in close co-operation with ANSP and DEF on the level of the 6-SRFG. Agreements are finalized through the RNDSG and ANT.

All OPS and TECH matters are covered by LOA’s between the involved control centres and MoU’s between entities not recognized as air traffic control centres.

Legal aspects are not yet fully covered but remains under analyse in order to be fully compliant with the EUR legislation. In particular, all involved partners are participating in all study, working groups and task forces relative to FABEC.

### Type(s) of cross-border airspace use is applied in the State:

| Cross-border area | Y | - CBAs, CDR 1, 2, and 3 have been created. TRA’s and TSA’s are clearly identified in the national AIP. For well defined and specific, temporary airspace may be created for a well-determined period.  
- 2 CBA’s with France (CBA 1 & CBA 16) are established.  
- With the Netherlands, we agreed on a common boundary, not following the national ones for the responsibility of ATS (based on LOA’s).  
- BELGOCONTROL provides ATS in a part of the Netherlands and G.D. of Luxembourg  
- MUAC provides ATS over a part of FRANCE. |
| Shared reserved airspace (TRA and TSA) | Y | See above. TRA/TSA’s other than CBAs are also shared between Belgium and France/ The Netherlands/ Germany. The service provision of these areas may occasionally be delegated to a non-Belgian control centre |
| Conditional routes | Y | See above |

The State has established with neighbouring States one common set of standards for separations between civil and military flights for cross-border activities: Y

Standard ICAO separations apply

Changes since previous FUA Report: N/A
15.2.2 At Pre-tactical Airspace Management Level 2

If cross-border operations apply, has the State established a joint or multinational AMC with neighbouring State(s):  
N  Enhanced co-ordination between involved AMCs is assumed. More detailed procedures will be studied after FABEC implementation.

Changes since previous FUA Report:  
No changes

15.2.3 At Tactical Airspace Management Level 3

The State has established a common set of procedures to manage specific traffic situations and/or to enhance the real-time airspace management between civil and military units involved in or concerned with cross-border activities:  
Y  Procedures are based on LoAs between CIV and MIL ANSPs.

Changes since previous FUA Report:  
No changes

15.3 Safety assessment

The State has established a safety management process to conduct all safety assessment activities before the introduction of any changes to the operations of the FUA:  
Y  Based on BSA-ANS inputs

15.4 Performance assessment

<table>
<thead>
<tr>
<th>Evaluation of the functioning of agreements, procedures and supporting systems established at the 3 levels</th>
<th></th>
</tr>
</thead>
</table>
| Safety | Y  
The safety oversight is performed by evaluating the incident reports. In addition, trimestrial meetings between the AAIIU, all BCAA Directorates and the BSA-ANS are organized in order to evaluate the safety levels and, when judge necessary, to recommend corrective actions. |
| Airspace capacity | Y  
Required evaluation processes for the functioning of agreements, procedures and supporting systems at the three ASM levels in relation with airspace capacity are established and regularly evaluated. |
| Efficiency | Y  
Required evaluation processes for the functioning of agreements, procedures and supporting systems at the three ASM levels in relation with efficiency are enforced and regularly evaluated. |
| Flexibility | Y  
Required evaluation processes for the functioning of agreements, procedures and supporting systems at the three ASM levels in relation with flexibility of aircraft operations to all users are in place and regularly evaluated. |

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15.5 Compliance monitoring

The State is fully compliant with the FUA Regulation (EC Regulation 2150/2005):  Y
Will be revised if deemed necessary with the implementation of FABEC

The State has established a FUA compliance monitoring processes:  Y
The BSA-ANS performs regular audits and inspections to monitor the processes

Additional comments: Belgium has a long tradition in FUA, implemented since 1992; the application goes beyond the concept. BELANC is in place to give steering. Safety oversight is done via safety oversight in general

15.6 Problems encountered and need for changes

<table>
<thead>
<tr>
<th>Problems encountered in the implementation of the FUA regulation and need for changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>- different procedures are sometimes applied by neighbouring ANSPs (e.g. France),</td>
</tr>
<tr>
<td>- interoperability issues (automatic exchanges of data have still to be enhanced; more specifically, the data exchanges with the neighbouring centres remain weak and still depend on the networks and the FMTP status of these centres</td>
</tr>
<tr>
<td>- FABEC (depending of the final agreement)</td>
</tr>
<tr>
<td>- Belgium fully supports the ICAO initiative to create awareness among civil and military (CIV/MIL) policy makers and regulators, CIV/MIL ANSPs and CIV/MIL airspace users, on the need to improve CIV/MIL co-operation and co-ordination in support of an optimum use of airspace by all users.</td>
</tr>
</tbody>
</table>