

Agreement between India and Pakistan on prevention of air space violations and for permitting over Flights and landings by Military Aircraft

April 6, 1991

Preamble

States parties to the present Air Agreement, Recognising the fact that both the Indian Air Force (IAF) and the Pakistan Air Force (PAF) aircraft operate near each other's airspace. Aware that despite best efforts by both sides, violations of each other's airspace have occurred from time to time. Desirous of promoting good neighbourly relations between the two countries. Conscious of the fact that renewed efforts should be made to avoid unnecessary alarm.

Have agreed to enter into the following Air Agreement:

AIR Violations**Article - 1**

Henceforth, both sides will take adequate measures to ensure that air violations of each other's airspace do not take place. However, if any inadvertent violation does take place, the incident will be promptly investigated and the Headquarters (HQ) of the other Air Force informed of the results without delay, through diplomatic channels.

Article - 2

Subject to Articles 3, 4 and 6, the following restrictions are to be observed by military aircraft of both the forces:- Combat aircraft (to include fighter, bomber, reconnaissance, jet military trainer and armed helicopter aircraft) will not fly within 10 kms of each other's airspace including ADIZ. No aircraft of any side will enter the airspace over the territorial waters of the other country, except by prior permission.

Unarmed transport and logistics aircraft including unarmed helicopters, and Air Observation Post (AOP) aircraft, will be permitted upto 1000 metres from each other's airspace including ADIZ.

Aerial Survey, Supply Dropping, Mercy and Rescue Missions

In the event of a country having to undertake flights less than 1000 metres from the other's airspace including ADIZ, for purposes such as aerial survey, supply dropping for mercy missions and aerial rescue missions, the country concerned will give the following information in advance to their own Air Advisors for notification to the Air HQ of the other country:-

a. Type of aircraft/helicopter

- b. Height of flight within Plus/Minus 1000 ft.
- c. Block No. of days (normally not to exceed seven days) when flights are proposed to be undertaken.
- d. Proposed timing of flight, where possible.
- e. Area involved (in latitude and longitude).

No normal clearance would be required as the flights are being undertaken within own territory.

AIR exercises near Border

Article - 4

In order to avoid any tension being created, prior notice be given with regard to air exercises, or any special air activity proposed to be undertaken close to each other's airspace including ADIZ, even though the limits as laid down in Article 2 are not likely to be infringed.

Communication between IAF and PAF

Article - 5

In matters of safety and any air operations in emergency situations, the authorities designated by the respective Governments should contact each other by the quickest means of communications available. The Air Advisor shall be kept informed of such contacts. Matters of flight safety and urgent air operations should promptly be brought to the notice of the other side through the authorities designated by using the telephone line established between the Army Headquarters of the two countries.

Operations from Air fields close to the Borders

Article - 6

Combat aircraft (as defined in Article 2 a. above operating from the air bases specified below will maintain a distance of 5 kms from each other's airspace:-

- a. Indian side
 - (1) Jammu.
 - (2) Pathankot.
 - (3) Amritsar.
 - (4) Suratgarh.
- b. Pakistan side
 - (1) Pasrur.

(2) Lahore.

(3) Vehari.

(4) Rahim Yar Khan.

Flights of Military Aircraft through each other's Air space

Article - 7

Military aircraft may fly through each other's airspace with the prior permission of the other country and subject to conditions, specified in Appendix A to this Agreement. Notwithstanding paragraph 1 of this Article, each country has the sovereign right to specify further conditions, at short notice, for flights of military aircraft through its airspace.

Validity of Agreement

Article - 8

This Agreement supersedes all previous understandings in so far as air space violations and over flights and landings by military aircraft are concerned.

Article - 9

This Agreement is subject to ratification. It shall come into force with effect from the date on which the Instruments of Ratification are exchanged.

Article - 10

Done at New Delhi on this Sixth day of April 1991.

(Muchkund Dubey)

Foreign Secretary

For the Government of the Republic of India

(Shaharyar M. Khan)

Foreign Secretary

For the Government of the Islamic Republic of Pakistan

Appendix A

Conditions for grant of Flight Clearance for Military Aircraft of both countries

1. The side requesting permission for their military aircraft to fly through the air space of the other country or for landing(s) by such aircraft at airfield(s) in the other country, will approach, the respective Air HQ through their Air Advisor for clearance to undertake the flight, at least seven days before the scheduled date(s) of the flight(s). If, due to unforeseen circumstances, this notice is less than seven days, the other country would, as far as possible, make all efforts to accommodate the request. The following details of each flight will be intimated to the concerned Air

Headquarters:-

- a. Aircraft type.
 - b. Aircraft registration number.
 - c. Aircraft call sign.
 - d. Name of the Captain of the Aircraft.
 - e. Number of the crew.
 - f. Cruising level.
 - g. General nature of cargo carried and number of passengers who are on board the Aircraft.
 - h. Purpose of the flight.
 - j. Standby aircraft number and call sign.
 - k. Name of Standby Captain and air crew.
 - l. Flight plan for outbound and return legs including air route, Flight Information Region (FIR) entry/exit points and times, Expected Time of Arrival (ETAs)/Expected Time of Departure (ETDs) and flight levels etc.
 - m. Type and quality of fuel required at various air fields landing.
2. All flights approved will be valid for 3 days within plus/minus three hours of the given time schedule of each day provided flight details remain unchanged. Any subsequent changes of the flight plan will require fresh clearance from Air HQ for which advance notice of 72 hours will be essential.
3. Routes to be followed by aircraft will be specified by respective countries at the time of requesting flight clearance.
4. The aircraft will not fly below 8000 ft or over 40,000 ft Above Ground Level (AGL).

5. The concerned Flight Information Centre of the other country will be contacted by the transiting aircraft during the flight before entering the airspace of the other country.
6. Flights, across each other's airspace will normally be completed between sun rise and sun set. Over-flights by night may be permitted, on specific request, under special circumstances.
7. No war-like material e.g. arms, ammunition, explosives, (except escape aid explosives), pyrotechnics (except emergency very light pistol signal cartridges), nuclear/fissionable material, Nuclear Biological and Chemical (NBC) materials, photographic material (whatever or not installed), electronic devices other than required for the normal operation of the aircraft, may be carried in the aircraft.
8. Non-professional cameras belonging to the passengers and which are not capable of aerial photography, may however be carried. Out photography at Airports or of defence installations, bridges and industries etc is not permitted.
9. Normally, both countries shall permit over flights to transit across the other's airspace along approved international Air Traffic Services (ATS) routes without the aircraft having to make, a technical halt. However, each country has the sovereign right to insist on such a halt if the country being overflown so desires.
10. Special case is to be exercised by the transiting aircraft to stay within the ATS routes and not to stray outside the limits of the route.
11. Visas for, the crew and passengers will be issued by the respective Embassy with utmost promptness.