

Leaflet

Operation of aircraft in the vicinity of animal concentrations

In accordance with Article 17 (1) no. 1 of the Act Implementing the Protocol on Environmental Protection of 4 October 1991 to the Antarctic Treaty (AUG)¹, it is prohibited, inter alia, to injure or molest Antarctic native mammals (in particular whales and seals) or birds. In addition, Article 17 (1) no. 2 AUG prohibits harmful interference on Antarctic native flora and fauna. Harmful interferences include "the flying or landing of helicopters or other aircraft in a manner that disturbs concentrations of birds or seals" (Article 17 (1) no. 2 letter a AUG). The assets to be protected include both animal concentrations on land (in particular concentrations of seals and penguins) as well as concentrations of seals or birds on fast ice or on floating ice.

Antarctic fauna and flora sometimes react very sensitively to external disturbances due to their adaptation to extreme local and regional conditions. This can result in a lack of breeding success of birds, for example. According to ATCM Resolution 2 (2004), the operation of aircraft near concentrations of birds in Antarctica are subject to special regulations.

In order to keep disturbances and harmful interferences to a minimum, the **following minimum distances** between the aircraft and the assets to be protected must be observed. A greater distance should be maintained wherever practical.

- Concentrations of seals and birds should not be overflown below 610 m (2.000 ft) above ground level.
- These distances also apply for overflights of lakes.
- The landing of an aircraft within a radius of less than 930 m (3.000 ft) around a concentration of seals and birds is not permitted.
- When flying along the coast, a minimum vertical distance of 610 m (2,000 ft) and a minimum horizontal distance of 460 m (1,500 ft) must be observed.
- If the coastline has to be crossed, a minimum vertical distance of 610 m (2.000 ft) must be maintained. The overflight must be carried out on the shortest route.
- If a whale or group of whales is sighted, a minimum distance of 310 m (1,000 ft) should be maintained vertically and horizontally to the animals when operating an airplane. When operating a helicopter, a minimum distance of 500 m (1,600 ft) should be maintained vertically and horizontally to the animals.

If the above-mentioned minimum distances cannot be maintained, a special permit must be applied for at the German Environment Agency. Such a permit can only be granted for scientific purposes (Article 17 (2) sentence 2 no. 1-3 AUG).

¹ Act Implementing the Protocol on Environmental Protection to the Antarctic Treaty of 4 October 1991 (AUG) of 22 September 1994 (Federal Law Gazette I p. 2593), most recently amended by Article 2 (41) and Article 4 (26) of the Act of 7 August 2013 (Federal Law Gazette I p. 3154)

The **following measures** also have to be observed:

- The flight shall be delayed or cancelled if the minimum distances between the aircraft and the assets to be protected cannot be adhered to due to bad weather conditions.
- If possible, direct flights over animal concentrations should be avoided. If an overflight over an animal concentration is necessary, the flight duration in the area should be kept to the minimum necessary (but it should not be flown faster).
- Hovering over and repeatedly flying over concentrations of animals should be avoided.
- Where practical, landing sites in the vicinity of concentrations of animals should be down-wind of the animals and/or behind a barrier (if available).
- Since bird and seal concentrations are often found in coastal areas and bird concentrations also on nunataks, approaches to such landscapes should be made carefully and in accordance with the minimum distances mentioned above.
- Take-off or turning manoeuvre towards a concentration of birds or seals – even just outside the minimum distances – means additional stress for the animals and should therefore be avoided.
- Flying over an Antarctic Specially Protected Area (ASPA) is prohibited. If an ASPA should be overflown, a special permit must be applied for at the German Environment Agency (Article 29 (2) AUG). For many ASPAs special regulations for aircraft operations have to be adhered to, which are set out in the relevant Management Plans.

Please note in addition to information on flight paths and approach and departure altitudes, contained in the "Antarctic Flight Information Manual" (AFIM) also the provisions of the "Wild-life Awareness Manual". There most of the animal colonies known for the Antarctic Peninsula as well as ASPAs and ASMAs (Antarctic Specially Managed Areas) are listed with maps and aerial photographs. Areas that are not allowed to be overflown are also marked.