

SOLUTIONS ENSURING SAFETY DURING TRANSPORT OF STATE VIPS BY MILITARY AIRCRAFT (PART 3)

Assoc. Prof. Ryszard BARTNIK, PhD

Institute of Civil Aviation Management
Faculty of Management and Command
War Studies University, Warsaw

email: r.bartnik@akademia.mil.pl
ORCID: 0000-0003-2167-5878
Researcher ID: B-6566-2019

Dariusz TATAROWSKI, PhD

Security Management System Manager
Polish Medical Air Rescue

e-mail: tatarowski.d@op.pl

Abstract

It should be noted that for reasons of state security (the so-called “national interest”), the transport of VIPs using military aircraft has a lower acceptable level of risk than is the case for other passengers. Consequently, the regulatory documents relating to these transport operations regulate a much broader and more detailed range of issues than is the case for other passenger transport operations, taking into account the principle of ‘safety first’. The regulations contained in the regulatory documents for the carriage of the most important persons in the state on military aircraft are intended to safeguard against human error, which may affect the possibility of an aviation event occurring during such operations. The regulatory documents also deal with additional requirements for equipment needed on military aircraft carrying VIPs, to reduce the risk of incidents, and a more in-depth analysis of environmental factors to reduce the safety risks due to adverse weather conditions.

Ke ywords: VIPs, military aircraft transport, regulatory documents, security.

Introduction

The identification of directions for changes to be made to the content of the regulatory documents governing the transportation of the most important persons in the State on military aircraft in order to ensure the safety of such transportation has required the examination of historical regulatory documents governing such transportation.

The aim of the research, the results of which are presented in this three-part article, was focused on organising knowledge about the existing principles for transporting state VIPS on military aircraft based on content analysis of the regulatory documents. The research issue is: how did the content of regulatory documents controlling the transportation of VIPs by military aircraft in Poland change since the World War II? The working hypothesis: that in order to safely carry out the transportation of VIPs by military aircraft, regulatory documents were developed and implemented for use at government level, as well as at the Ministry of National Defence, Armed Forces command level and at the unit carrying out such transportation. It was assumed that the content of these documents was subject to change as irregularities were identified in them, and the regulations contained therein were initially not comprehensive and concerned only selected requirements and obligations impacting on the safe carriage of VIPs on military aircraft.

The adopted research procedure was based on the analysis of changes in the content of the applicable regulatory documents covering the periods between the occurrence of individual air incidents during such services. The results of the research presented in this article relate to the regulatory documents governing the carriage of VIPs in military aircraft, which were in effect after 2003.

Regulations for the carriage of VIPs using military aircraft in force from 2003 to 2010

Another air incident during the carriage of a VIP on a military aircraft at the end of 2003¹ proved that a completely outdated regulatory document on the safety of such carriage poses a serious risk to the safety of these operations. Although the committee investigating the incident² in question did not draw any conclusions in this respect, it also appears from the analysis of the content of its minutes that it did not examine whether any of the arrangements laid down in the Rules on the Safety and Performance of Aircraft Flights, marked with the symbol IMPORTANT³, still in force, were observed during the planning and execution of the flight in question and, moreover, some of the wording of the minutes (for example, „transport VIP”, „przewóz VIP”) may indicate that it treated the document as non-compulsory or was not aware of its existence.

The new regulatory document governing the issue of ensuring the security of transport of the most important people in the State by military aircraft was introduced

1 Incident of Mil Mi-8 helicopter No 10632 from the 36th Special Transport Aviation Regiment with the Prime Minister Leszek Miller on board on 04.12.2003.

2 Air accident investigation report dated 20.01.2004, Military Historical Bureau, reference number 4128/16/146.

3 Military Historical Office, reference number OPK 658/76.

for use by order of the Commander of the Air Force and Air Defence on 21.05.2004⁴. At the same time, it should be noted that the previous regulations, including those introduced by order at the same level of command (an order from the Commander of the National Air Defence Forces) (...), reference number OPK 658/76, was not withdrawn, which led to a situation where both documents were used in the service activities of the 36th Special Transport Aviation Regiment, although they contained many contradictory regulations⁵.

*Instructions for safety and operation of flights by aircraft marked with the symbol important over the territory of Poland. Temporary*⁶, specified that additional procedures to ensure safety will be applied in the case of military aircraft carrying: “the President of the Republic of Poland, the Prime Minister of the Republic of Poland, the Speaker of the Sejm, the Speaker of the Senate of the Republic of Poland and persons visiting the Republic of Poland in equivalent positions”, and such flights will be marked with the “important” symbol. The document indicates that the Heads of Chancellery of Authorized Persons are authorised to order such flights from the Commanders of the Air Force and Air Defence, with the requirement that the flights be ordered no later than 3 working days before⁷ domestic flight and 7 working days before a foreign flight, and in emergencies no later than the time necessary to ensure the safe preparation of the aircraft and its crew and to make diplomatic arrangements for the entry of the military aircraft into foreign airspace. Carriage of the most important persons in the State may only be carried out on specially prepared aircraft⁸ equipped with twin-power units and duplicate steering systems, but may also be carried out on aircraft equipped with a single-power unit and single-person crew at the request of the authorised person. Aircraft and helicopter flights may be operated to permanent aerodromes with operating air traffic services, equipped with radio communications and flight safety equipment, and helicopters may also be used for landing on an open site, after the landing site has been agreed with local government

4 It should be noted that no regulatory document was found in the archives to revoke Ordinance No.2 of the Prime Minister of 2 January 1997 relating to special air transport. From the point of view of the priority of legal acts, the regulations of the above mentioned Ordinance took precedence over the contents of the *Instruction for securing and operating flights of aircraft marked with the symbol important above the territory of Poland Temporarily* put into service by order of the Commander of the Air Force and Air Defence (WLOP).

5 This is evidenced, for example, by the records which were included in the Masters thesis of one of the pilots serving in the 36th Special Air Transportation Regiment in 2007. J. Kuta-Kołosutowicz, *Procedury komisyjnej kontroli statków powietrznych w realizacji zadań specjalnych pulku lotniczego*, Akademia Obrony Narodowej, Warszawa 2007, s. 19.

6 Military Historical Office, reference number OPK 341/2004.

7 It should be pointed out that all previous regulations in this respect specified the minimum lead time for the transport order in days, regardless of whether they were working days or not.

8 In the decision-making schema for the execution of the flight marked as „important” the commanders of the 36th Special Transport Aviation Regiment and the 13th Transport Aviation Squadron were assigned, from which it can be assumed that only aircraft from these units were to be used for this purpose.

or military authorities and, as far as possible, the landing site has been reced by the crew assigned for the flight in question.⁹ It is also specified that the decision to take off, land or abort a flight during the carriage of State VIPs shall be made by the flight crew commander, if such a flight cannot be undertaken due to weather conditions below the minimum specified for the type of aircraft, aerodrome or rating held. It is indicated that the control of flights by aircraft marked 'important' is the responsibility of the military and civil air traffic authorities in their respective areas of responsibility, subject to generally accepted separation from other aircraft for such flights, but that, at the request of the operator, separations greater than those normally applied may be agreed. It is specified that aircraft carrying out such operations have priority for taxiing, take-off and landing over others, except those in distress or carrying out tasks specified in Aeronautical Information Publication (AIP) Poland¹⁰ The Senior Operational Duty Officer at the Air Operations Centre is responsible for supervising the movement of the most senior state VIPs on military aircraft. The Regulatory Document defines the specific responsibilities of the operational command and air traffic service post holders. Procedures are laid down for ensuring the security of communications and flight safety during such flights, including the monitoring and recording of radio communications, activation of runway lighting when visibility is less than 2 km and compilation of photographic documentation of the indicators of radiolocation landing systems. It is laid down that the weather forecast for the purpose of making a decision relating to the carriage of the most important persons in the state by military aircraft and the assessment relating to the execution of the flight and the landing itself is prepared by the on-duty meteorologist of the take-off airport, under the supervision of the Centre for Meteorology of the Air Force and Air Defence. Shifts on duty at the Air Force and Air Defence Meteorology Centre are also required to provide (through air traffic services) to the commander of the aircraft carrying the most important persons of the State, information on the incidence or prediction of dangerous weather phenomena (including icing) not included in the meteorological report for a given flight. The regulatory document contains provisions on the criteria for the approval of aircraft for flights with the most important persons in the state which were subject to verification (for a given calendar year, with the specification that the minimum flight time before approval for verification is 20 hours) and test flights (in accordance with the flight programme developed by the Technical Chief of the Air Force and Air Defence) or technical inspections (in the absence of favourable weather conditions for a test flight) before each such carriage. No expiry dates for test flights and technical inspections have

9 In comparison with the regulations concerning the carriage of the most important persons in the state by helicopter, for the first time since 1973, the absolute obligation to reconnoitre a potential landing site was waived.

10 Aeronautical Information Publication - a comprehensive collection of aeronautical information of a permanent nature containing data on aerodromes, flight routes and applicable procedures that are relevant for air navigation.

been specified. It states that two aircraft shall be designated for each flight specified as being “important”: the primary aircraft and the backup aircraft and details of their immediate preparation for flight (to be performed after a test flight or a technical inspection) are specified. Flight crew members must be authorised to carry out the tasks specified by the designation ‘important’ on the basis of their authorisation in a military unit training order for the year in question, with the crew commander having a minimum of 1,000 hours¹¹ of flying experience and being fully trained to operate under Visual Flight Rules (VFR) and Instrument Flight Rules (IFR) during the day and night on the aircraft type in question and a co-pilot having the necessary VFR and IFR ratings for that type of aircraft by day and night. The remaining members of the crew should be fully trained and highly qualified, and the entire crew should have confirmation of their appropriate medical fitness based on periodic aeromedical assessments. It is stipulated that experienced instructor pilots (regardless of their position in the service) may, for the purpose of training and reviewing the level of training, perform flights on two types of aircraft. The duties of the cabin crew (employees of the Government Protection Bureau) have also been prescribed to remind passengers to fasten their seat belts and to give instructions on how to proceed in an emergencies. The pilot in command is bound to report to his squadron commander if the forecast weather conditions make it impossible to complete the task on the aircraft type and the aviation unit commander must report to his superiors if, under the weather conditions, it is feasible to complete the flight identified by the ‘important’ symbol on another type of aircraft and inform the flight controllers of any changes made or the impossibility of completing the flight at all. The annexes to the document include: a decision making schema for the execution of the carriage of the most important persons in the state by military aircraft; a schema for the circulation of information on the safety of such carriage and a model protocol of the flight plan for an aircraft designated to perform such a task.

The regulations contained in Instruction (...) WLOP 341/2004 concerning the possibility of different administrators to request the carriage of the most important persons in the state in military aircraft, made it necessary, with a small number of aircraft and crews that could be separated for such tasks, to agree on procedures for the allocation of limited manpower and resources at the level of the heads of the office of authorised persons entitled to use transport marked with “important” symbol. They were included in the Agreement on Special Air Transport of 15.12.2004. According to the document, a coordinator for special air transport was appointed in the person of the Head of the Chancellery of the Prime Minister, whose duties were to set annual limits for the use of special air transport by individual persons authorised to it and to collect and send orders for such flights to the Air Force Commander¹², within

11 This was linked to the withdrawal in 2001 of the regulatory documents governing the qualification of pilots and military navigators.

12 On 1.07.2004 there was a change in the name of the type of Armed Forces from Air Force and Air Defence Force to Air Forces

the deadlines set in the agreement for transferring the orders to the coordinator (2 working days for domestic flights, 10 working days for foreign flights) already making it impossible to transfer them in accordance with the deadlines specified in the applicable Instruction (...) WLOP 341/2004.

Instruction (...) WLOP 341/2004 quickly became outdated in terms of its use of the “valid” designation for the transport of the most important passengers in the state. In the Decree of the Minister of Transport and Construction dated 15.12.2005 amending the regulation on the division and detailed rules for the use of the Polish airspace and methods of cooperation between the state air traffic management authority and civil and military aerodrome traffic service units¹³ it was specified that all users of Polish airspace are obliged to determine the status of flights for the needs of air traffic services, while in the case of aircraft carrying out official missions with the President of the Republic of Poland, Prime Minister, Speaker of the Sejm of the Republic of Poland, Speaker of the Senate of the Republic of Poland and their foreign counterparts, they are marked with the status of HEAD.

Moreover, in a subsequent *Flight Regulation for the Military Aviation of the Armed Forces of the Republic of Poland (RL-2006)*¹⁴, there is a provision that ‘the rules for the organisation of flights of HEAD-status aircraft are laid down in the instructions for the organisation of those flights’, which did not formally exist when RL-2006 was introduced.

The above-mentioned regulatory document was first implemented by Decision No. 184/MON of the Minister of National Defence of 09.06.2009. *At the same time, this Decision revoked both the Rules for securing and operating flights of aircraft marked with the symbol important over the territory of the People’s Republic of Poland and the Instructions for securing and operating flights of aircraft marked with the designation important over the territory of the Republic of Poland. Temporary.*

The Flight Instructions for aircraft with the status HEAD¹⁵ specify that an aircraft flying on an official mission carrying the same persons on board who were previously designated ‘ważny’ has HEAD status. Such status has to be entered in the flight plan that the crew of the aircraft is required to submit for each flight. Those responsible for preparing selected weather forecasts (both for planning the flight and for the flight itself) have been changed, which in case of foreign flights were to be prepared by the shift on-duty at the Polish Armed Forces Hydrometeorology Centre. A principle has been introduced that the request for carriage of entitled persons is submitted by the coordinator (Head of the Chancellery of the Prime Minister), in accordance with the time limits indicated in the Agreement on special air transport of 15.12.2004, but in urgent cases the coordinator may submit such requests no later than the time necessary to ensure flight safety. The issues of contracting, collection

¹³ Dz.U. 2005 nr 255, poz. 2142.

¹⁴ Military Historical Office, reference number OPK 370/2006. Introduced into service by Decision No. 412/MON of the Minister of National Defence dated 13.10.2006.

¹⁵ Military Historical Office, reference number OPK 408/2009.

and payment for catering have been standardised. In addition, the responsibilities of the commanders of the air traffic services, communication and flight assurance services and the meteorological service have also been redefined. The requirement of a minimum of 1,000 hours of flight time for the crew commander nominated to undertake the carriage of the most important persons in the State has been waived¹⁶, as well as the definition of the number of aircraft types on which HEAD-crew flights may be carried out, but a restriction has been introduced for cabin crew members (three or four aircraft types if two of them have similar equipment and emergency procedures). A provision has been introduced to prohibit flight and cabin crews from consuming any alcoholic beverage, narcotic drugs or any other substance which might affect their ability to perform their flight duties. Access to the flight deck is also prohibited during the flight to persons other than the cabin crew chief or persons authorised by the commander of the aircraft. The regulatory document also specifies the basic duties of the cabin crew, stipulating that it is the responsibility of the aviation unit commander to set them out in detail in an appropriate instruction. The Air Force Commander is responsible for identifying the types of aircraft to perform HEAD tasks and appointing a verification committee to assess them, and the requirement for such flights to operate on aircraft equipped with dual power units and dual controls has been removed. The procedure for conducting test flights allowing an aircraft to perform such a task has been changed, allowing it to be waived if the aircraft performs further tasks with HEAD status after a stopover of no more than 48 hours. The option of suspending a crew member from flying if the chairman of the committee found that the rules of operation of a given type of aircraft were not sufficiently well mastered was also withdrawn. The rules for the carriage of baggage and cargo on board HEAD-status aircraft have been specified, allowing, among other things, for the presence on board of pets (weighing up to 8 kg) and guide dogs, as well as the carrying of weapons on board the aircraft by Government Security Bureau officers while on duty. It was also stated that the Government Security Bureau is responsible for the security of aircraft at other take-off and landing sites and outside the country. The annexes to the regulatory document define: deadlines for obtaining diplomatic approvals for the landing of military aircraft in 54 countries; the scheme for the organisation of a flight with HEAD status; the information flow chart for the organisation of such a flight; the model protocol for the verification of aircraft for the performance of HEAD tasks; and the model protocol for the test flight.

It is necessary to confirm that the regulatory documents in force between 2003 and 2010 concerning the introduction of procedures aimed at ensuring the safety of the transport of the most important persons in the State were intended to address the deficiencies identified in the previous documents and which could have an impact on the occurrence of an aviation incident during such flights. In the early years, however, these regulations were not cohesive because of the formal requirements

¹⁶ Leaving aside the requirement that crew members (commander and co-pilot) must have valid VFR and IFR ratings

of two sets of instructions, which specified differently the operation of this type of service, as well as the regulation of selected but important safety issues concerning such services by the Prime Minister. The situation changed with the implementation of Instruction (...) WLOP 408/2009, which comprehensively regulates issues not previously covered by the provisions on ensuring the safety of the carriage of the most important persons in the state by military aircraft and contains regulations consistent with other regulatory documents concerning such carriage.

Regulations for the carriage of VIPs using military aircraft in force after 2010

The Commission investigating the causes of a second crash during the transport of the most important people in the State in military aircraft¹⁷ in its report¹⁸ identified a number of responsibilities and provisions in the regulatory documents for ensuring safety during such transport which were not complied with during the planning and execution of the flight which ended in a crash, and also recommended improvements, clarifications and updating of the regulatory documents. These changes were included in regulatory documents issued to the command of the Armed Forces and the military unit responsible for the transportation of the most important people in the State on military aircraft.

Ministry of National Defence regulatory documents Ministry of National Defence normative documents

The first regulatory document developed and implemented to implement these recommendations, to ensure the safety of the carriage of the most important persons in the state by military aircraft, as well as to align the regulations for aviation of the Armed Forces of the Republic of Poland with other legal acts defining the rules for the operation of flights in Polish airspace, was the Instructions for the Organization of Flights with HEAD status in Polish Armed Forces aviation¹⁹. Contrary to the previous regulatory document, it was decided that its provisions apply to all entities

¹⁷ The crash of Tupolev Tu-154M No. 101 from the 36th Special Transport Aviation Regiment of 10.04.2010.

¹⁸ Final report of the National Aviation Accident Investigation Commission regarding the investigation of aviation accident No. 192/2010/11 of Tu-154M aircraft No. 101 which occurred on 10.04.2010 in the area of North Smolensk airport, Aviation Accident Investigation Commission, Warsaw 2011, p. 299-301.

¹⁹ Military Historical Bureau, reference WLOP 454/2012, enclosed in *Decision No. 19/MON of the Minister of National Defence of 02.02.2012* (Dz.Urz. MON 2012, poz. 24).

involved in the organisation of flights of aircraft with HEAD status²⁰. It states that the Minister of National Defence, in agreement with the relevant administrator, fixes the annual number of flights to be used for the transport of the most important persons in the state by military aircraft. A requirement has been introduced for the controllers of flight authorisations to send information on the planned carriage of the most important persons in the state on military aircraft (at least 3 days in advance of the domestic flights, and in the case of overseas flights, the necessary notice is specified in the Annex to the document) and then the flight request must be sent (no later than 24 hours in advance of the flight), but in urgent cases, as required by the controllers, the request may be sent (without prior notification) within 24 hours, but must allow sufficient time for the crew and aircraft to prepare for the flight. In such a case, the transport of the most important persons in the State by military aircraft may only be carried out to controlled or military airports specified in AIP Poland. It is specified that the flight provider shall agree with the organiser of the flight alternate aerodrome(s), taking into account the safety of flight operations and the distance from the destination of the most important person in the State, and shall forward information on these aerodromes/areas to the Government Security Office. Notwithstanding the circumstances of the flight (including financial constraints or political needs), the most important consideration is always to maintain the safety of the flight. In the duties of the officials it has been specified that the Head of the Hydrometeorological Service of the Armed Forces of the Republic of Poland is responsible for meteorological assurance, including acquisition of necessary data, development of a meteorological message for a flight designated with HEAD status and development and transmission of warnings about dangerous weather phenomena to the crew commander. The requirements for crews carrying out HEAD flights under visual flight rules (VFR) and under instrument flight rules (IFR) are specified, with the commander and the co-pilot having a valid regulatory rating and not less than 1,000 and 750 hours of flight time respectively. The maximum number of aircraft types on which cabin crew may fly is limited to three. It is specified that passengers may only board the aircraft in the presence of the cabin crew and that access to the cockpit is limited to crew members and the head of the cabin crew. The flight commander is also required to report periodically to the Duty Staff of the Air Operations Centre (using the available means of communication) and the cabin crew manager is required to check the passenger list before the flight and give detailed instructions on safety procedures to passengers. The document sets out the specific responsibilities of the flight organiser (head of the office of persons entitled to transport) and the aircraft operator (indicated for each flight by the person entitled to transport). The option of not designating a stand-by aircraft is permitted when there is only one technically fit aircraft at the disposal of the unit carrying out the flight of the most important persons in the State. A 72 hour validity period has been set for

²⁰ It should be noted that this process also involves bodies from outside the Ministry of National Defence, for which the head of this ministry does not have the authority to give any instructions.

a test flight authorising an aircraft for a HEAD status flight. A requirement has been introduced for the organiser to draw up a list of passengers for a given flight with HEAD status and submit it no later than 24 hours before the flight to the operator. It has also been prohibited for the following combination of persons to be on board the aircraft at the same time: The President of the Republic of Poland and the Speaker of the Sejm, the President of the Republic of Poland and the Prime Minister and the First Deputy Prime Minister, and more than half of the members: The Council of Ministers, the National Security Council, the Intelligence Services Advisory Committee and military commanders. The flight operator is obliged to provide the Government Security Bureau with cockpit and cabin crew data for a given flight, and the Government Security Bureau officers are obliged to carry out checks on the flight crew and cabin crew members, aircraft maintenance personnel and the aircraft itself. The training of flying personnel during the transport of the most important persons in the state in military aircraft and the operation of “emergency” services is prohibited (for which a demand was submitted less than 24 hours in advance), as well as when all requirements for their fulfilment specified in the Instruction (...) WLOP 454/2012 have not been met. Rules for the selection of airfields and other places of take-off and landing where the place of carriage indicated by the flight organiser is not an open aerodrome or aerodrome described in the AIP (of a given country), and it is specified that in each such case it is necessary to carry out reconnaissance (air or ground) of the place and the presence of an aviation coordinator with the necessary equipment (mobile phone, air-ground radio station, portable wind direction indicator, laptop with Internet modem) and a meteorological service specialist equipped with a portable automatic meteorological measurement system. It is also specified that there are no night flights at other take-off and landing sites. The annexes to the regulatory document lay down a flight information template, a flight requirement template, deadlines for obtaining diplomatic approvals for the landing of military aircraft in 65 countries, a general scheme of the HEAD status flight organisation process, a flight information flow chart, a list of contact phone numbers of the functionaries, a sample aircraft verification protocol, a sample test flight protocol, a sample passenger list, and a list of the duties and responsibilities of the departure committee.

After less than a year of validity on 01.02.2013, Instructions (...) reference WLOP 454/2012 was replaced by another regulatory document (of the same title)²¹, which amended the regulations concerning the planning and execution of transport of the most important people in the state by military aircraft in locations where Polish Military Contingents are stationed. The document defines, amongst others, the need to develop a procedure for the operation of such transportation for the given Polish Military Contingent, a ban on the operation of HEAD-status transportation in such areas from other take-off and landing sites, minimum times

²¹ Military Historical Bureau, reference WLOP 477/2013, enclosed in *Decision No. 2/MON of the Minister of National Defence of 08.01.2013* (Dz.Urz. MON 2013, poz. 4).

for the submission of information and requirements for such transportation and the duties of officials in terms of security and organization. It has been indicated that the personnel performing HEAD status flights in the area where Polish Military Forces are stationed may also include on-board armed guards or other specialists appointed by order of the contingent commander. The necessity of supervising HEAD-status operations by the Duty Operations Service of the Air Operations Centre was identified (in the case of flights in areas where Polish Military Contingents are stationed by the Duty Operations Service of the Operational Command of the Armed Forces), and it was also obliged to provide the crew performing the flight with the necessary meteorological, reconnaissance and other information necessary for safe execution of the task. The regulations concerning the crews to be appointed for the transport of the most important persons in the State have been supplemented by the requirement for the commander in charge of the crew and the co-pilot to have a minimum flying experience of 250 and 150 hours respectively on the type of aircraft on which the flight is to be operated. It has been specified that only the most experienced flight crews with tactical and combat preparation are to be assigned to perform HEAD status flights in hazardous areas (considered as combat zones). It also defines the responsibilities of an operator of a HEAD status flight (branch or sub-departmental commander), who is responsible, inter alia, for performing a risk analysis of the planned flight, for developing and approving with his own signature a risk assessment card, for assigning and preparing the crew and aircraft, for deciding on the possibility and method of performing a HEAD status flight, for issuing an order to perform a flight task, for documenting the process of planning, preparing and performing a HEAD flight, for maintaining a spare aircraft for at least 1 hour after the take-off of the main aircraft carrying out a HEAD status flight. Further, the pilot in command shall determine the conditions under which he must abort a descent (including when the decision height for precision approaches or the minimum descent height for non-precision approaches is reached) and decide as to whether to proceed to landing again or to depart to an alternate aerodrome, especially when flying conditions or weather phenomena do not guarantee a safe landing. It specifies the cases where the aircraft does not start the flight at all (including when the aircraft is not properly prepared for flight, there is a lack of complete and up-to-date navigation and meteorological documentation or weather conditions do not guarantee safe execution of the task in accordance with applicable regulations). The Air Force Commander is responsible for identifying the types of aircraft to perform HEAD tasks and appointing a verification committee to assess them. It was mandated that for transport of the most important persons in the state by military aircraft in the areas where Polish Military Contingents are stationed, a spare aircraft with crew is maintained in readiness at all times during such transport by the main aircraft. It is mandated that aircraft intended for HEAD status operations must be equipped with electronic location transmitters (ELT), digital flight recorders and cockpit voice recorders. Aircraft carrying out such flights in areas of Polish Military Contingents as well as dangerous areas must also be equipped with self-defence means (thermal and electronic countermeasures). These flights must be carried out as a minimum by a pair of aircraft, and passengers,

in areas where there is a threat of being attacked by military means, must wear body armour as well as securely fastened helmets. It is also specified that other take-off and landing sites are not to be used for night landings (and not flights as previously specified). The appendices to the document were the same as those contained in the previous Instruction, amended including document templates required for HEAD status flights in the areas of Polish Military Contingents.

The current document setting out additional procedures to ensure the safety of the movement of the most important people in the state using military aircraft was introduced on 24.11.2018, although work to develop and agree it had already been initiated by the General Command of the Armed Forces in 2015. Amendments to the contents of the Instructions for the Organization of Flights for the Most Important People in the State for the Armed Forces of the Republic of Poland²² were mainly related to the transformation of the Armed Forces' management and command structure (with the assumption of the competences of the Air Force Commander by the General Commander of the Armed Forces). The Regulatory Document stipulates that the procedures resulting from it shall apply to all flights involving the most important persons in the State listed therein, whether or not they are on official missions which have the status of HEAD assigned by the Head of the State Security Service or not. It has been specified that flights to other take-off and landing locations shall not be operated if the most important person being carried has temporarily relinquished the protection of the State Security Service and, if this occurs, the Commander-in-Chief of the Armed Forces shall recommend to the organiser of the flight that it be flown to the nearest airport or airfield. The document also regulates the question of ensuring the provision of safe carriage for the most important persons in the state by military aircraft in the event of a crisis situation or war on the territory of the Republic of Poland, indicating, that the Armed Forces General Commander is responsible for such a task (using his own and allied aircraft) in times of crisis, in cooperation with the Operational Commander of the Armed Forces, and in times of war, the Armed Forces Commander-in-Chief (and until he is appointed, the Operational Commander of the Armed Forces). These flights must be preceded by an assessment of flight feasibility, threats and risks. In the event of a negative flight risk assessment the flight shall not be conducted. The person responsible for deciding on the transport of the most important person in the State has been changed from the flight operator to the General Commander of the Armed Forces, and the minimum deadlines for the submission of flight information by the flight organiser (not less than 48 hours in advance²³), and the transmission of such information and flight requirements by

²² Annex to Decision No. 146/MON of the Minister of National Defence dated 24.10.2018 (Dz. Urz. MON 2018, poz. 172).

²³ It should be noted that the same time limit for submitting the demand for the transfer of the most important persons in the state was established in the charter agreement for two Embraer ERJ 170-200 LR aircraft No. IU/172/IX-34/ZO/NZO/USL/Z/2013 concluded on 21.12.2013 between the Armaments Inspectorate and LOT Polish Airlines, whereby LOT Polish Airlines, upon

e-mail has been permitted. It is specified that the operator must inform the State Security Service of the airports and alternate aerodromes planned for the flight as soon as agreed with the operator, but no later than 48 hours before the flight²⁴. The requirements for crew members on military aircraft carrying the most important persons in the state have been amended, specifying that they must hold a valid positive medical certificate of fit for air duty, valid applied competence assessments by the Commission, ratings, approvals and in-flight inspections and emergency altitude and rescue training. The pilot in command shall be rated Class I²⁵, with 250 hours of flying time on that aircraft type, while the co-pilot shall be rated Class II, 150 hours of flying time on that aircraft type²⁶, while the other crew members shall have valid ratings and approvals for that type of aircraft. In addition, all crew members must have the appropriate personal qualities to provide services for the most important persons in the State, as determined by the authority responsible for aviation and medical assessment. It was indicated that when new types of aircraft are introduced for the transport of the most important persons in the State, it is for the General Commander of the Armed Forces to decide on additional requirements for their crews or an increase in the required minimum flying experience on that type of aircraft. A provision is made to allow passengers to board in the presence of crew members (not just cabin crew) and to authorise cabin crew members and the head of the cabin crew to access the cockpit. The organizer of the flight, despite the fact that he has ceded overall responsibility to the Commander-in-Chief of the Armed Forces, retains in his duties the decision about the feasibility (which seems unrealistic, as it would mean negating the decision already made by his superior) of the execution of a given flight, conducting a risk analysis, developing a risk assessment card²⁷ and confirming it with his signature. He shall also be responsible for specifying in the unit's Operations Manual the specific requirements for flight crew in terms of

receipt of such a demand, does not perform any formal activities related to the verification of the technical condition of the aircraft, nor is LOT Polish Airlines obliged to perform reconnaissance and arrangements related to the possibility of performing carriage to another place of take-off and landing.

24 This provision appears to be an obvious error, since the organiser can also submit information about the planned flight 48 hours in advance, which leaves no time for the flight operator to select the airports/interchanges and agree them with the organiser.

25 According to the Pilots and Navigators Licensing Manual *ILPN-2015*, SPow. 8/2015, this requirement is met by training to operate day and night flights under VFR and IFR and having a flying experience of 1000 hours for pilots of aircraft and 700 hours for helicopter pilots.

26 Compliance with this requirement requires pilots to have received VFR and IFR day and night flight instruction and 500-hours of flying experience, and helicopter pilots to have received VFR day and night flight instruction and have 400-hour of flying experience. *Ibid.*

27 These actions should be undertaken before and not after the decision to carry out the flight.

flying experience²⁸, their personal predisposition²⁹ and the rules and time limits³⁰ for appointing crews to carry out operations. It is specified that the commander of the flight crew permits entry into the cockpit of the head of the flight deck or other person from the crew³¹ and indicates that on aircraft without cabin crew, he or she carries out activities related to checking the passenger list, giving instructions on safety conditions, securing baggage against displacement, and indicating the need to fasten seat belts. It was stated that in the process of preparing and organizing the movement of the most important persons in the country, an additional official person is involved - the coordinator (or coordinators, as it is allowed to appoint more people to perform this function at each departure). It is specified that the coordinator also performs the functions of an aircraft operator (whose tasks and role in this process are already regulated in previously applicable regulatory documents) and has the power to temporarily suspend the take-off of the aircraft if circumstances are identified which may affect the proper conduct of the flight task³². The rules for the selection and verification of aircraft for the operation of the most important passenger services in the country have been revised. The selection is carried out based on identification of the types of aircraft to be used for such flights in the annual order of the General Commander of the Armed Forces, and verification is carried out on the basis of the criteria for performing verification flights and engine tests specified in the Chief Air Force Engineer's Bulletin. The aircraft is ready to carry the most important persons in the State after a verification flight valid for 72 hours and engine test if the validity period of³³ 72 hours has been exceeded. The rules for the carriage of animals have been amended to remove an 8 kg weight limit and to replace it with the term 'small pets' and to consider service dogs in addition to guide dogs as transportable in accordance with previous regulatory documents. It is specified that military commanders, of whom more than half cannot be on board the aircraft during

28 This is all the more incomprehensible as such requirements are already laid down in paragraph 12 of the above mentioned Instruction.

29 All the more incomprehensible because, according to paragraph 12 of these Instructions, such a task falls within the competence of the aero-medical legal authority.

30 This issue is also addressed in the Manual. According to the content of paragraph 22, the flight operator must notify the commander Government Protection Service (SOP) of the composition of the crew 2 working days before the flight. As the organiser of a flight can submit the flight information at least 48 hours before it is performed, this means that in extreme cases (a flight order on Saturday morning), in order to comply with the obligations laid down in the Instruction, the operator of the flight must inform the commander of the SOP of the composition of the crew before receiving the information on the flight.

31 Note that in para 12 of this manual, it is specified that only cockpit crew members and the cabin crew chief are allowed in the cockpit. Therefore, in exercising his authority and authorising access to the cockpit to a member of the cabin crew other than the cabin crew chief, the captain would be in breach of the same Instructions.

32 The task appears to be a flagrant breach of the competencies of the aircraft commander as defined in para 14 of this manual.

33 This seems like an error of logic and the correct word seems to be "below".

a given flight, should be understood as: The Chief of General Staff of the Polish Army, the Commander-in-Chief of the Armed Forces, the Commander-in-Chief of the Operational Forces and the Commander of the Territorial Defence Forces. It is specified that during transit of the most important persons in the country in dangerous regions, including during War on the territory of the Republic of Poland, such tasks are performed by a pair of helicopters, the group must include an escort helicopter armed with small arms or unguided missiles. The attachments to the document are the flight information and flight request templates, the flight organization process diagram with the most important people in the country, the flow of information during the flight, the flight organization process diagram with the most important people in the country in the area of the Polish Military Contingent, the verification protocol template³⁴, the engine test protocol template³⁵.

In the content of subsequent regulatory documents in force after 2010, which regulate the entire activity of military aviation, including ensuring the safety of transport of the most important persons in the state by military aircraft, i.e. the Polish Armed Forces Aviation Regulations (RL–2010)³⁶ The Rules of Aviation Flights of the Armed Forces of the Republic of Poland (RL–2012)³⁷ and the Rules of Aviation Flights of the Armed Forces of the Republic of Poland (RL–2016)³⁸ contain the same regulations indicating that ‘the rules for the organisation of flights of aircraft with HEAD status are laid down in the instructions for the organisation of those flights’ and establishing a hierarchy of such flights in terms of priority for take-off and landing. In addition, the regulatory documents set out the definitions for verification flights and test flights performed for the purpose of determining the airworthiness of aircraft for tasks with HEAD status. Taking into account the changes in this respect, introduced in the Instruction implemented in November 2018 (...), it should be stated that these regulations have been superseded and that RL–2016 requires amendment to align its content with the wording of other regulatory documents.

To sum up, it should be stated that the changes introduced in subsequent regulatory documents on ensuring the safety of the transportation of the most

34 It contains wording to indicate that the verification carried out under the rules of the previous regulatory document (for a given year) and not under the current verification flight is valid for 72 hours.

35 It contains language that indicates that its execution results in the aircraft being ready to fly with the most important people in the State for a certain period of time, which, however, is not indicated in the contents of the Manual, which may indicate that the original intention of the authors of the document was to sanction the verification of readiness of the aircraft to carry out the flights for the most important people in the State by means of an engine test on the ground and not by a verification flight.

36 Military Historical Office, reference number OPK 442/2010. Introduced into service by Decision No. 432/MON of the Minister of National Defence dated 19.11.2010.

37 Military Historical Office, reference number OPK 475/2012. Introduced into service by Decision No. 379/MON of the Minister of National Defence dated 29.11.2012.

38 Military Historical Bureau, reference SPow. 19/2016. Introduced into service by Decision No. 179/Szkol/DG RSZ of the Minister of National Defence dated 02.08.2016.

important persons in the country, implemented by the Ministry of National Defence after 2010, were aimed at eliminating the irregularities in their content, which, according to the conclusions of the commission investigating the catastrophe during such transportation of 10.04.2010, contributed to its occurrence, and their aim was to ensure the safety of such transportation. It is worth emphasizing the fact that the regulations for ensuring the safety of the transport of the most important persons in the State contained in the successive basic documents regulating the whole activity of military aviation (flight regulations) were consistent with other regulatory documents. The changes made to these documents in November 2018 are related to the need to update the content of RL-2016. A great concern may be aroused by the fact that the latest regulatory document implemented by the Ministry of National Defence on ensuring the safety of the transport of the most important persons in the State, introduces solutions which may reduce the safety of such transport, including shortening the minimum time for submitting information on such transport, and thus the time available to the flight contractor to properly prepare the aircraft and the crew for its safe execution and reducing the requirements in terms of the flight experience of crews who qualify for their assignment. However, the most serious threat contained in the document seems to be the possibility of making a duplicate decision to carry out the transport, at different levels of command. Moreover, the regulatory document contains many contradictions, inconsistencies and even obvious clerical errors. This seems to confirm a previously observed fact that the more time elapses since the aviation event that triggered the changes in the content of regulatory documents, the more relaxed or disregarded certain regulations become. This fact may pose a significant risk to the safety of such operations.

Regulatory documents of the Chancellery of the most important persons in the State

The Commission investigating the Smolensk catastrophe of 10.04.2010, included in its protocol a recommendation to the heads of the Chancellery: The President, the Prime Minister, the Speaker of the Sejm and the Speaker of the Senate, stressed the need to develop the principle of cooperation between the Chancellery officials ordering special air transport and the principle of cooperation between the ordering party and the organizer of such transport.

First Agreement on the operation of flights with the most important people in the state between the heads of the Chancellery and The President, the Prime Minister, the Speaker of the Sejm and the Speaker of the Senate with the Minister of National Defence, the Minister of Internal Affairs and Administration, the Head of the Government Protection Bureau and the President of the Civil Aviation Office was initialled on 08.11.2011, replacing the Agreement on special air transport of 15.12.2004. This regulatory document sanctioned the adherence of all parties thereto to the rules for the organisation of the transport of the most important persons in the

State on military aircraft as laid down in the HEAD Flight Manual³⁹, also recognising that the transport of the most important persons in the State may be carried out using civil aircraft, and in emergency cases, including in cases of danger to public safety and to the life or health of the most important persons in the State, including on other state aircraft⁴⁰. The agreement dated 08.11.2011 regulates the situation when more than one of the most important persons in the state are on board the aircraft during transport (in the same way as to the Instruction (...) reference WLOP 454/2012 introduced later, whereby more than half of the military leaders cannot be on board during the same flight: The Chief of General Staff of the Polish Army, Operational Commander of the Armed Forces, Land Forces Commander, Air Force Commander, Navy Commander and Special Forces Commander. The submission of requests for flights for authorised persons (in accordance with the deadlines specified in the HEAD Instruction) to the coordinator (Head of the Chancellery of the Prime Minister), who should send them immediately to the Air Force Commander and the flight contractor, has been standardised, and the requirements for the safe conduct of such flights have been specified, duplicating some of the contents of the current HEAD Instruction, concerning the tasks of the flight contractor, the Head of the Government Security Office, the rules for drawing up passenger lists, and the selection and securing of landing places. In addition, detailed procedures are laid down for the use of civil aircraft by the most important persons in the state. Amendments to the Agreement dated 08.11.2011, related, among others, to the implementation of the Instruction (...) WLOP 454/2012 was introduced in the Agreement dated 01.03.2012 on the rules of operation of flights with the most important persons in the country. The document specifies that in the event of the necessity to use a civil aircraft, the organiser of the flight shall primarily use Embraer aircraft loaned by LOT Polish Airlines under a charter agreement. The agreement dated 01.03.2012 was amended on 02.10.2014 in order to take into account the changes that have occurred in aviation law, the implementation of a new system of command and control of the Armed Forces and the signing of a further Embraer aircraft charter agreement.

To sum up, it should be stated that the amendments made to the successive regulatory documents on the safety of the transport of the most important persons in the State, implemented by the Chancellery of such persons after 2010, were intended to define the requirements for ensuring the safety of the transport of the most important persons in the State. They were introduced in accordance with the recommendations of the commission investigating the causes of the disaster which

39 It should be stressed that at the time of signing the Agreement dated 08.11.2011, the amendments recommended by the Disaster Investigation Committee of 10.04.2010 had not yet been incorporated into this document.

40 It should also be noted that the performance of such tasks was not regulated in the Operational Manual of the Border Guard Aviation (introduced by Ordinance No. 45 dated 03.06.2008), as well as in Ordinance No. 1216 of the Chief Commander of the Police dated 02.11.2005 on methods and procedures of performing tasks by the Police Aviation Service.

occurred on 10.04.2010. These regulatory documents also address in detail the rules for the carriage of the most important persons in this state in civil aircraft. At the same time, it should be emphasized that although the regulatory documents in question specify the possibility of carrying out transport of the most important persons in the state by means of Police and Border Guard aircraft, the flight rules applicable in this organisation do not specify rules for ensuring safety while performing such tasks.

Regulatory documents of Polish Armed Forces Command

At the level of the General Command of the Armed Forces, the following regulatory documents have been prepared and implemented for use after 2010 to ensure the safety of the transport of the most important persons in the state on military aircraft:

1. Standing operational procedures scoping the rules of appointment and duties of the Aviation Coordinator to manage tasks on aerodromes and other take-off and landing sites dated 03.02.2012, and then 22.03.2013. These documents regulate the requirements for the individual that may be appointed as coordinator, the functions of the coordinator, the scope of his theoretical training, the criteria for selecting landing and take-off points for the transport of the most important persons in the country by military helicopters (including minimum dimensions, gradients and surface conditions, distance from fixed and mobile obstacles), the call sign to be used by the coordinator for radio communication, a template for recording notes taken from alternate take-off and landing sites and the necessary equipment to be available to the coordinator at another site.

2. An annual order of the Commander-in-Chief of the Armed Forces⁴¹ to determine the types of aircraft to be used for flights with HEAD status for the calendar year in question, in which the types of aircraft, the military units that assign them⁴² and the names of the members of the committee to conduct verification activities, verification flights and commission flights in each of the designated aviation units are specified, and the superiors of the designated persons are required to assign them to the tasks.

3. The Agreements between the Air Force Command and the Government Security Office on the principles of cooperation in the conduct of tasks related to flights with HEAD status (dated 9.02.2012 and 15.03.2013), which sanctioned the implementation of activities and mutual communication of information in the

⁴¹ Prior to 2013 Air Force Commanders were responsible, but from 2014 the General Commander of the Armed Forces. has been responsible.

⁴² For 2012-2015, the orders specify that W-3 helicopters from the 1st Transport Base or 43rd Maritime Base and Casa C-295M aircraft from the 8th Transport Base may be designated for flights with HEAD status. During the years 2016-2017, the orders for 2016-2017 did not assign W-3 helicopters from the 43rd Maritime Aviation Base to this task, and the order for 2018 additionally specified that such flights could be carried out on Gulfstream G-550 aircraft from the 1st Transport Aviation Base.

areas specified in the Instruction (...) WLOP 454/2012 and Instruction (...) WLOP 477/2013, as well as establishing mutual contact points.

4. *The rules for recruitment of flying personnel to the 1st Aviation Transport Base dated 30.12.2011, the main aviation unit tasked with the transportation of the most important persons in the state on military aircraft, specify the framework for personnel policy, rules for evaluation and selection of flying personnel and define the minimum requirements to be met by officers applying for designation to official positions in the indicated unit (including 5 years of professional military service; not less than 750 flying hours of experience and English at STANAG 6001 level 2,2,2,2.*

At the level of the Chief Aviation Engineer, further operational bulletins (No P/O/R/U/5305/E/11, No P/O/R/U/5331/E/12 and No P/O/R/U/5465/E/13) have been developed relating to the criteria for the verification of aircraft intended for flights with HEAD status, which indicate, that such aircraft must be airworthy without any restriction (i.e. without taking into account the minimum equipment list that allows, under certain conditions, for the operation of an aircraft with a defective component such as a defective autopilot provided that the flights are operated only according to visual flight rules), have a minimum specified flying time before scheduled service-repair, maintenance, overhaul or entry into service, and do not have individually introduced for each aircraft any limitation of technical conditions other than those specified in the operating documentation (including so-called overhaul or entry into service beyond the period or time specified by the manufacturer).

In conclusion, it should be stressed that the regulatory documents for the safety of the transport of the most important persons in the country on military aircraft, developed at the level of the Armed Forces Command after 2010 (initially the Air Force Command and from 2014 onwards the General Command of the Armed Forces), regulated matters which were not further specified in the applicable HEAD Manual in force at that time, and which it was stated would be specified in the documents developed at that level of command.

Regulatory documents of the transport operator

At service provider level (example - 1st Air Transport Base), the following regulatory documents were drafted and implemented for use after 2010 to ensure the safety of the transport of the most important people in the state on military aircraft:

1. The Operations Manual of the 1st Transport Aviation Brigade, which, on the basis of the regulatory documents of the higher levels of command, regulates all activities of the unit during the course of its flights, including the carriage of the most important persons in the State on military aircraft, including the responsibilities of individual officers, aircraft operations management, operating procedures, crew composition and qualification requirements, flight time limitations, carriage of weapons and dangerous goods, aircraft security, incident management, flight rules and personnel training programmes and procedures.

2. *Permanent operating procedures for the assignment of flight crews in the 1st Transport Aviation Brigade where, on the basis of the regulatory documents of higher levels of command, the rules for the selection of flight crews to perform various tasks, including the carriage of the most important people in the state on military aircraft, are regulated in detail and aligned.*

3. Annual air training order of the commander of the 1st Airborne Transportation Brigade containing a nominative list of the flying and cabin crew authorised to fly HEAD flights in that year.

4. Daily orders of the commander of the 1st Transport Airborne Brigade, in which the crews and aircraft are assigned by name to carry out a given carriage of the most important person in the State.

In conclusion, it should be pointed out that the regulatory documents relating to the carriage of the most important persons in the state by military aircraft, drawn up at the level of their operator, duplicate the content of the higher levels of regulatory documents relating to the operation of the aviation unit concerned and regulate the authorisation of such carriage by cockpit and cabin crew.

In conclusion, it should be acknowledged that the changes introduced in the regulatory documents in force after 2010 concerning the safety of the carriage of the most important persons in the state on military aircraft resulted from the implementation of the recommendations of the Aviation Disaster Investigation Commission dated 10.04.2010. They were intended to address the deficiencies identified by the committee, which were found in the previous regulatory documents to affect the onset of this aviation event. It should be noted, however, that the time that elapsed from the specified event to the implementation of the amended normative documents was much longer than in the case of the previously analysed changes introduced to the regulatory documents and ranged from almost 19 months (in the case of the Agreement of 08.11.2011) to almost 22 months (in the case of Instruction (...) reference WLOP 454/2012). The new regulatory documents also do not take into account all the recommendations made by the Commission, for example by making amendments to allow the dispensation of Commission flights for aircraft prepared for a task with HEAD status and equipped with modern airborne recorders. It is also worth noting that the various levels of command developing regulatory documents on the safety of the carriage of the most important persons in the state on military aircraft have sought to maintain the consistency of the documents, developing further versions where necessary (as was the case with the Agreement dated 01.03.2013). However, it is of great concern that the most recent regulatory document on the safety of the transport of the most important persons in the state on military aircraft (the Manual (...) put into operation on 24.11.2018) contains provisions which may reduce the safety of such services.

Summary

On the basis of the results of research presented in the article Solutions ensuring the safety of transport of the most important persons in the state by military aircraft (part 1-3), it can be concluded that in order to ensure safe transport of the most important persons in the state by military aircraft at the government level, as well as the Ministry of National Defence, the Armed Forces Command and the unit carrying out such transport, regulatory documents were developed and implemented, the content of which was subject to change as the irregularities affecting the occurrence of air events during such transport were identified in it.

It can be concluded that the regulatory documents introducing procedures aimed at ensuring the safety of the transport of the most important persons in the country, developed by the Armed Forces Command, were the first to be implemented. They were governed by procedures relating to guaranteeing the proper technical condition of aircraft used for the carriage of the most important persons in a State, ensuring that such aircraft and their crews are properly prepared for such carriage and minimising the risk of crew errors with respect to mutual cooperation and the specific characteristics of the aircraft concerned, which was assumed to be achieved through the carriage of the most important persons in the State by permanent crews assigned to specific aircraft. Subsequent regulatory documents developed by the General Staff of the Polish Army, regulated only the matter of securing the transport of the most important people in the state by military aircraft by the air traffic control service and flight command authorities. Comprehensive documents on the regulation of all areas identified as affecting the safety of the transport of the most important persons in the state were developed only at the last step, and their implementation for use took place initially at the level of the Armed Forces Command, and later the Minister of National Defence. The adoption of their provisions for the application of the regulations by functionaries from outside this ministry was done through the conclusion of respective agreements. At the same time, the necessary details of the issues indicated in such documents were addressed at the level of the Armed Forces Command and the unit carrying out transport of the most important persons in the State by military aircraft.

The lists of the most important persons in the State whose carriage by military aircraft required the application of these safety procedures have changed frequently, but it is difficult to identify what criteria were used to establish them as they included persons holding positions not listed in the applicable basic laws, while excluding representatives of the constitutional organs of the highest state authorities. There was also a gradation of procedures aimed at ensuring the safety of the carriage of the most important persons in the State on military aircraft, specifying that some of these procedures will apply to the carriage of only some of the persons listed in the regulatory documents.

The content of the regulatory documents governing the safety of the transport of the most important persons of a State was not entirely consistent with that of

other regulatory documents, including those which should cover all military aviation activities. It was also made possible for procedures aimed at ensuring the safety of the carriage of the most important persons in the state on military aircraft to be specified in different ways in a number of parallel regulatory documents, thus posing a significant risk to the safety of such carriage.

The amendment of the regulatory documents and the implementation of new regulations aimed at ensuring the safety of the transport of the most important persons in the State were preceded by the occurrence of an aviation incident during such transport. Despite the fact that the regulatory document in question contains procedures to ensure the safety of the transport of the most important persons in the State, which, as a result of political and organisational changes, have become obsolete and have ceased to fulfil their role, such documents have remained in use for years after this fact was established. It was only the occurrence of an aviation incident during such operations that triggered their almost immediate update and the introduction of adjustments to address the deficiencies identified as having had an impact on the occurrence of the aviation accident.

With the passage of time since the occurrence of these events and the introduction of regulations and procedures in the regulatory documents resulting from threats to the safety of the carriage of key persons in the State identified by the investigation of the causes of the event, such content has been relaxed or omitted in subsequent regulatory documents. However, such a situation poses a significant threat to the safety of such transport operations.

References

Agreement between the Air Force Command and the Government Protection Bureau on the rules of cooperation during the implementation of tasks related to flights with HEAD status.

Agreement on special air transport dated 15.12.2004.

Aviation Regulations of the Polish Armed Forces (RL-2016), Military Historical Bureau, reference SPow. 19/2016.

Final report of the National Aviation Accident Investigation Commission the investigation of aviation accident No. 192/2010/11 of Tu-154M aircraft No. 101 which occurred on 10.04.2010 in the area of Smolensk Północny airport, Aviation Accident Investigation Commission, Warsaw 2011.

HEAD status Flight Manual, Military Historical Bureau, WLOP 408/2009.

Heads of the Chancellery Agreement on the operation of flights with the most important people in the state: the President, Prime Minister, Speaker of the Sejm and Speaker of the Senate with the Minister of National Defence, Minister of the Interior and Administration, Head of the Government Protection Bureau and President of the Civil Aviation Office dated 08.11.2011.

Instruction for the Organization of Flights with HEAD Status in the Air Force of the Republic of Poland, Military Historical Office, Ref. WLOP 454/2012.

Instruction for the Organization of HEAD Status Flights of the Armed Forces of the Republic of Poland, Military Historical Office, WLOP 477/2013.

Instructions for safety and operation of flights by aircraft marked with the symbol important over the territory of Poland. Temporary Military Historical Office, reference WLOP 341/2004.

Kuta-Kołsutowicz J., *Procedury komisyjnej kontroli statków powietrznych w realizacji zadań specjalnych pułku lotniczego*, Akademia Obrony Narodowej, Warszawa 2007.

Operational Manual 1. *Transport Aviation Brigade*.

Ordinance of the Minister of Transport and Construction dated 15.12.2005 amending the Ordinance on the allocation and detailed rules for the use of Polish airspace and the methods of cooperation between the state air traffic management authority and civil and military airport air traffic service organisations (Journal of Laws 2005 No 255, item 2142).

Pilots and Navigators Licensing Instruction ILPN-2015, Military Historical Bureau, SPow. 8/2015.

Regulations for the organization of flights involving the most important persons in the state for the Polish Armed Forces (Journal of Laws of the Republic of Poland 2018, item 172).

Regulations for the safety and operation of aircraft, designated with the important symbol, Military Historical Bureau, reference OPK 658/76.

Report dated 20.01.2004 from air accident investigation, Military Historical Bureau, reference 4128/16/146.

Rules and Regulations of Military Aviation of the Armed Forces of the Republic of Poland (RL-2006), Military Historical Office, reference WLOP 370/2006.

Rules and Regulations of Military Aviation of the Armed Forces of the Republic of Poland (RL-2010), Military Historical Office, reference WLOP 442/2010.

Rules and Regulations of Military Aviation of the Armed Forces of the Republic of Poland (RL-2012), Military Historical Office, reference WLOP 475/2012.

Standing operational procedures for the designation of aircrew in the 1st Transport Aviation Brigade

Standing operational procedures relating to the rules for the appointment and duties of the Aviation Coordinator (KDL) for the realisation of operations on aerodromes and other take-off and landing sites, Military Historical Bureau, WLOP reference 442/2010.