

SOLUTIONS ENSURING SAFETY DURING TRANSPORT OF STATE VIPS BY MILITARY AIRCRAFT (PART 2)

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Abstract

It should be noted that due to the good of the state (the so-called “national interest”), in the case of transport of VIPs by military aircraft, its acceptable level of risk is lower than in the case of transportation of other passengers. Thus, normative documentation regarding such transport regulates a significantly wider and more extensively indicated range of issues, including the principle of “security above all”, when compared to transportation of other passengers. The regulations contained in the normative documents concerning transportation of state VIPs by military aircraft are to protect them not only from human errors which may have influence on the occurrence of air incidents in the course of such transportation. Normative documents also regulate additional requirements regarding aviation equipment employed to transport state VIPs by military aircraft (to decrease the risk of failure) and an in-depth analysis of environment factors (to decrease the risk related to threats to security of transportation due to unfavourable atmospheric conditions).

Key words: state VIPs, transport by military aircraft, normative documents, security.

Introduction

The indication of the directions of changes which should be made in the content of the normative documents regulating transport of state VIPs by military aircraft to provide security of such transportation required an analysis of historical normative documents regulating such transport.

The purpose of the research, whose findings have been presented in a three-part article, was focused on sorting out the knowledge about the existing principles regarding transport of state VIPs by military aircraft based on the results of an analysis of the content of normative documents. The research problem was: what was the course of changes in the content of the normative documents regulating transport of state VIPs by military aircraft in Poland after World War 2? The hypothesis verifying the indicated problem was an assumption that in order to safely transport state VIPs by military aircraft at the level of the government, and also the Ministry of National Defence, command of the branches of Armed Forces and the unit which conducts such transport, appropriate normative documents have been formulated and implemented. There is also an assumption that the content of these documents was amended when any irregularities were identified therein, and that initially the regulations contained therein were not comprehensive and concerned only selected requirements and duties which had influence on the security of transport of state VIPs by military aircraft.

The accepted research procedure assumed an analysis of the changes in the content of the applicable normative documents covering the periods between the occurrence of specific air incidents in the course of such transport. The research findings presented in this article pertain to the normative documents which regulate transport of state VIPs by military aircraft applicable between 1973 and 2003.

Regulations pertaining to Transport of State VIPs by Military Aircraft Applicable between 1973 and 1976

An air catastrophe during transportation of state VIPs by military aircraft¹ became a proof, despite a lack of a proper conclusion in the findings of the committee investigating its causes, that the normative documents, in existence from 1973, which pertain to such transport did not regulate all necessary issues, and that a lack of comprehensive provisions concerning transport of state VIPs by military aircraft posed a serious threat to the security of conducting such transportation. The authorities of the Polish People's Republic were interested not only in an in-depth explanation of the causes of the catastrophe² but, most importantly, implementation

¹ On 28 February 1973 during a landing approach at the Szczecin-Goleniów airport there was a crash of aircraft Antonow An-24W no 012 from the 36th Independent Special Air Regiment. It led to the death of the Minister of Internal Affairs, Wiesław Ociepka, among others.

² It is proven by establishing on 1 March 1973 a special committee to investigate the causes of the air catastrophe in Szczecin which was independent from the Inspectorate of the Ministry of Defence for Security of Flights, Archiwum Nowych Akt, number 84/11.

of normative documents that would include systemic regulations to reduce the likelihood of occurrence of a similar incident in the future³.

Due to the fact that compiling a comprehensive normative document concerning transport of VIPs by military aircraft required an appropriate period of time, in order to regulate the issues that potentially caused the greatest danger to the security of transport, an interim normative document was issued⁴. It established procedures for ensuring security of such transportation.

In the *Directive of the Chief of Staff No Pf-27/Oper. of 25 June 1973 on Increasing the Level of Security Of Military Aircraft with Official Persons on Board (Zarządzenie Szefa Sztabu Nr Pf-27/Oper. z dnia 25.06.1973 roku)* it was specified that transport of state VIPs by military aircraft was designated as “important”, which indicated flights with “the members of the leadership of the Polish United Workers’ Party and political parties as well as the members of the Government of the Polish People’s Republic, and the members of the leadership of Parties and governments of other countries”⁵ on board. Such transport could only be conducted by aircraft equipped with at least two propulsion systems. Limitations in such flights were specified, regulating that aircraft could be used for transport only to airports equipped with means of communication and radiotechnical support of flights enumerated in the *List of Minimal Atmospheric Conditions at Airports (Wykaz minimalnych warunków atmosferycznych lotnisk)*, and helicopters⁶ to the airports and landing fields with atmospheric conditions which were not lower than the ones possessed by the crew’s captain. Additionally, helicopter flights with one-person crew were limited to atmospheric conditions which allowed for a flight with the visibility of the ground. Helicopters could also be used to land in an incidental area.

The above-mentioned directive for the first time specified the officials entitled to take decisions regarding transport of state VIPs by military aircraft. It regulated that such a decision had to be taken on the basis of the information received from the destination airport regarding its readiness to accept a military aircraft with state VIPs on board, obtaining permission of appropriate bodies of air traffic services

³ Based on the recommendation of the special committee, the President of the Council of Ministers of the Polish People’s Republic, Piotr Jaroszewicz issued *Decyzja z dnia 09.04.1973 roku w sprawie podniesienia stanu bezpieczeństwa lotów (the Decision of 9 April 1973 on increasing the level of flight security)*.

⁴ The Directive of the Chief of the General Staff of the Polish Armed Forces issued in June 1973 was in force from 1 October 1973. It contained instructions for establishing new, comprehensive regulations in this respect by 29 September, that is before the effective date of the directive.

⁵ In comparison to the previous definition of official persons included in *Instrukcja o ubezpieczeniu lotów osób oficjalnych z 30.09.1962 roku (the Instruction concerning Safeguarding of Flights with Official Persons of 30 September 1962)*, the new one excluded military leadership, which was certainly caused by the necessity to limit the number of flights designated as “important” stressed by the committee investigating the catastrophe of plane An-24 at the Szczecin-Goleniów airport.

⁶ It has to be noted that the problem of employing helicopters to transport state VIPs was up to that moment omitted in normative documentation.

and analysis of weather forecast along the flight route, at the target airport and emergency airfields prepared by the Central Hydrometeorological Bureau of the Central Command Post of the Commander of the Territorial Air Defence Forces. The atmospheric conditions at the destination airport were to be sent to the take-off airport at 30-minute intervals in a period of a minimum of 3 hours before the planned take-off.

One of the points included in the directive was an order for the Air Forces Commander and the Commander of the Territorial Air Defence Forces who with the participation of the Inspector of the Ministry of Defence for Security of Flights were to “[...] compile one document (General Staff publishing house) normalising the education level of the crews, their preparation and control before the flight, control of the aviation equipment, cover, security and safeguarding as well as the scope of activities and responsibilities of all services and persons related with the flights of the aircraft designated as “important”” Compiling comprehensive provisions concerning the execution of flights with state VIPs was to be completed by 29 September 1973.

Provisions pertaining to Planning, Executing and Safeguarding Flights of Aircraft Designated as “Important” (*Przepisy w sprawie planowania, wykonywania i ubezpieczania lotów statków powietrznych oznaczonych sygnałem ważny*) were implemented throughout the Armed Forces (including the aviation of the Ministry of Foreign Affairs) with a 4-month delay on 1 February 1974 by the Directive of the Minister of National Defence and the Minister of Foreign Affairs of 4 January 1974. The comprehensive normative document regulated all the issues related to ensuring security of transport of state VIPs by military aircraft, including the tasks of the forces and means in the competence of the Air Forces Commander (preparing and assigning aircraft and crews to execute such tasks), and the Command of the Territorial Anti-Aircraft Defence Forces (support, safeguarding, meteorological cover). Compared to the previous normative documents, *Provisions (Przepisy)* [...] catalogue number Lot. 1566/74 listed in greater detail the state VIPs⁸ whose presence on board of a military or civilian⁹ aircraft meant that such a flight was designated as

7 Wojskowe Biuro Historyczne (Military Historical Bureau), catalogue number Lot. 1566/74.

8 They included: “Members and deputy members of the Politburo of the Polish United Workers’ Party; Secretaries and members of the Secretariat of the Central Committee of the Polish United Workers’ Party; President and deputy presidents of the Council of State of the Polish People’s Republic; Marshal of the Sejm of the Polish People’s Republic; President and vice presidents of the Council of Ministers of the Polish People’s Republic; Minister of National Defence, Minister of Internal Affairs, and Minister of Foreign Affairs; Leaders of the chief allied political parties; Other persons at the request of the President of the Council of Ministers, the Minister of National Defence and the Minister of Internal Affairs”.

9 *Przepisy w sprawie planowania, wykonywania i ubezpieczania lotów statków powietrznych oznaczonych sygnałem ważny* (*The Provisions concerning planning, executing and safeguarding the flights of military aircraft designated as “important”*) contain a provision indicating that civilian activities as regards aircraft designated as “important” are specified in normative documents issued by the Ministry of Communication. However, taking into account the content of the *Porozumienie Ministra Obrony Narodowej i Ministra Spraw Wewnętrznych z Ministrem Komunikacji*

“important”. A representative of the Office of the Council of Ministers or the Government Protection Bureau was responsible for notifying of the flight and designating it as “important”. Additionally, in principle, a request for such transport had to be submitted to the unit executing the flight minimum 3 days before the flight took place, and in emergency cases, not later than in the time necessary to ensure security of the flight. The air traffic services were obliged to provide military aircraft transporting state VIPs with increased separation¹⁰ and an appropriate number of emergency airfields with means of radio communication and flight safeguarding which were to be timely employed. The command posts (of all levels) were obligated to perform radio watch duty on the communication channel with the specific aircraft and on the radio direction finding channel in order to convey information at the request of the aircraft commander. Military aircraft transporting state VIPs would also have anti-radiolocation cover within the distance of 50 km to the left and to the right of the flight path. At military take-off, landing and emergency airports, other flights were to be halted because of such an aircraft for a period of 20 minutes (10 minutes at civilian airports) until the take-off or landing of the aircraft transporting state VIPs. This kind of transports could be executed only by aircraft having a two-person crew (a deviation was possible at the request of the official person and concerned helicopter flights in normal atmospheric conditions) and two propulsion systems. The normative document also regulated the issues related to securing transit aircraft flights of other states designated as “important” or “VIP”¹¹ over the territory of the Polish people’s Republic. It also indicated that it was the Duty Officer of the Central Command Post of the Commander of the Territorial Air Defence Forces¹² that was responsible for all the enterprises related to safeguarding and controlling the flights of military aircraft transporting state VIPs. He also was authorised to take decisions regarding the take-off and refuse permission to execute such a flight when there was no data on whether it could be safeguarded. The purpose of radiolocation control of the execution of the flight of a military aircraft transporting state VIPs was

z dnia 21.01.1975 roku w sprawie wprowadzenia zmian w przepisach dotyczących planowania, wykonywania i ubezpieczania lotów statków powietrznych oznaczonych sygnałem ważny (Agreement of the Minister of National Defence and the Minister of Internal Affairs with the Minister of Communication of 21 January 1975 on the implementation of changes in the provisions concerning planning, executing and safeguarding the flights of aircraft designated as important), it has to be assumed that the norms regarding transport of state VIPs by civilian aircraft were specified only when the above-mentioned Agreement became effective.

10 The same as those indicated in 1969 in *Instrukcja wojskowej służby ruchu lotniczego (the Instruction for the Military Air Traffic Services)* (Wojskowe Biuro Historyczne, catalogue number OPK 336/69), that is vertically at least two flight altitude levels in accordance with the semi-circular cruising levels (approximately 600 m); horizontally 25 km (to the left and to the right of the flight path, and 20 minutes’ flight (forwards and backwards).

11 A “VIP” signal was to be used by the crews of all military aircraft transporting state VIPs as a call sign in radio correspondence.

12 In *Przepisy [...]* catalogue number Lot. 1566/74 it was specified that the abbreviation OPK meant “air protection of the state”, and not “air defence of the state”.

to prevent the aircraft from entering zones of dangerous weather phenomena, prohibited and dangerous zones and prevent any possible deviations from the original flight route. Information about the take-offs and landings of military aircraft with state VIPs on board was to be given to the duty officer of the Government Protection Bureau. All telephone and radio calls of post holders regarding safeguarding such a flight were to be registered on an audiotape, and the image of flight indicators and glide path, in the case of an approach with the use of radiolocation landing systems, was to be recorded with the use of cameras. The commander of the airport where the military airport transporting state VIPs was to land was obliged to take a decision on whether to give permission to accept such a flight. He was also responsible for measuring the visibility at least twice on the runway, if 90 minutes before the landing it was shorter than 2000 m. The Central Hydrometeorological Bureau of the Central Command Post of the Commander of the Territorial Air Defence Forces together with the Institute of Meteorology and Water Management were to prepare the weather forecast necessary to plan the flight of a military aircraft with state VIPs on board and the weather forecast necessary to execute the flight and landing. At least two radiolocation weather checks (60 and 30 minutes before the take-off and landing) were to be performed at the take-off and landing airports. The normative document also defined detailed duties related to safeguarding the flight of a military aircraft with state VIPs on board for almost twenty post holders who served on commanding posts (including the posts of the Commander of the Territorial Air Defence Forces, Territorial Air Defence Corps, Guidance Node), at airports (take-off, landing, emergency), and also hydrometeorological offices. Military aircraft selected to transport state VIPs had to be subject to verification whose scope, depending on the type, was indicated by the Air Forces Chief Engineer (it was necessary to perform a test flight to maintain flightworthiness when there were intervals between such flights which were longer than 30 days). Their service life to the next periodical technical works had to be at least 50% longer when compared to the number of flight hours planned as part of a given task. Their technical condition was subject to a check performed by a committee designated by an order of the Air Forces Commander and a pyrotechnical inspection by the representatives of the Government Protection Bureau. As part of the check of the technical condition, a military aircraft prepared to transport state VIPs was subject to a committee test flight (on the preceding day, in exceptional cases on the day of the flight, the validity of such a flight was 72 hours) or on-ground committee technical inspection (in case of adverse atmospheric conditions). A report was made after the committee test flight, and the aircraft was sealed and secured. The president of the committee was authorized to suspend the crew in executing flights if it was discovered that they poorly learnt the principles of use of a specific type of aircraft. Fuelling military aircraft for flights with state VIPs could only be conducted from specially designated pumps (at the airport of origin), after verification of laboratory certificates, sealing the pump, condition of the filter and sedimentation (at other airports) and after collecting and depositing samples of the used petrol and smears at Polish authorities (at foreign airports different from those of the member states of the Warsaw Pact). Security of

the military aircraft at military airports was to be organised by the commander of the military unit, and at civilian airports and incidental area by the representatives of the Government Protection Bureau. Military flight crew that met “high ideological and political, moral and expert requirements” were designated to execute flights with state VIPs. The commander of the air force unit was responsible for continuous aviation training and maintaining flight security conditions. A permanent composition of the crew was adopted as a principle (if it was impossible to have such a composition, the missing person was replaced by his direct superior). The crews licensed to execute flights with state VIPs could undergo aviation training and operational flights only on one aircraft type. The preparation of the crew to a given flight could take place under supervision of their direct superiors. The assessment of this preparation, before the commander of the unit received a dispatch was that the preparation was complete, was performed by the line deputy commander of the unit, senior navigator of the unit, senior engineer of the unit and the communications chief of the unit. The crew designated to execute a flight with state VIPs should meet the following conditions:

- the commander of the crew had to be a first-class pilot¹³ in a given branch of aviation,
- the deputy commander of the crew had to be a first-class pilot in a given branch of aviation,
- the navigator had to hold qualifications of the first-class navigator,
- the co-pilot needed to have valid licences to perform independent flights in all atmospheric conditions,
- the other members of the crew (radiotelegrapher, on-board technician-mechanic) needed to have the “highest qualifications in their specialties”.

Before executing a flight with state VIPs, the commander of the crew was obliged to learn about the present synoptic situation and contact the head of the meteorological station, among other things, in relation to ice zones (isotherm flow 0, -5 and -12°C). In the case of overseas flights, the members of the crew were obliged to prove that they knew the procedures and provisions applicable in the airspace of the states in which the flight was to be performed and the radio communication in Russian and English. In the case of long flights, when it was possible to exceed the crew working hours, additional personnel could be planned to participate in the task (up to two complete crews), and the crews were expressly forbidden from taking

¹³ According to *Instrukcją kwalifikowania pilotów i nawigatorów w lotnictwie wojskowym PRL* (the *Instruction for qualifying pilots and navigators in military aviation of the Polish People's Republic*), Wojskowe Biuro Historyczne, sygnatura Lot. 1597/74, it meant that a given pilot (navigator) had to be trained in executing operational flights during the day and at night in all atmospheric conditions and completing his life number of flying hours amounting to 700 (of which 120 hours in difficult atmospheric conditions and 100 hours at night, of which 40 hours in difficult atmospheric conditions) in the case of aircraft pilots or 550 hours (of which 70 hours in difficult atmospheric conditions during the day and 70 hours at night, of which 25 hours in difficult atmospheric conditions) in the case of helicopter pilots.

any flight activities if the planned flight was longer than the regular working hours or if the prescribed rest time was not observed after the previous flight. When the atmospheric conditions at the landing airport were worse than the minimal conditions agreed upon or lower than the licences the crew held, the crew commander was obliged to decide to fly to the emergency airport or the take-off airport, and, at the same time, inform the passenger who was a state VIP and the bodies of air traffic control of his decision.

The minimal atmospheric conditions requirements at civilian airports, jointly used airports and military airports which allowed military aircraft with state VIPs on board to take off and land were increased in comparison to the minimal requirements for flights with other passengers or cargo on board. They were specified in the *Rules and Regulations Regarding the Execution of Flights in Military Aviation (RWL-74)*¹⁴ (*Regulamin wykonywania lotów w lotnictwie wojskowym*) (RWL-74). For example, in the case of transport jets and turboprops, minimal atmospheric conditions for night landings with the use of the radiolocation landing system or Instrument Landing System were determined as follows: visibility: 1000 m, cloud base: 100 m, while for flights designated as “important”, landings (at night, with the use of the same systems) could be executed (depending on the airport and the individual type of the aircraft) in the following conditions: visibility: 1300–1800 m, cloud base: 130–140 m.

When the detailed provisions regulating the issue of ensuring security of transport of state VIPs by military aircraft were implemented, appropriate regulations were also included in the newly created normative document regulating the entirety of military aviation - the *Rules and Regulations Regarding the Execution of Flights in Military Aviation (RWL-74)*. In point 26 of this document it was specified that all flights with officials on board of military aircraft in the airspace of the Polish People’s Republic were to be executed in accordance with *The Provisions concerning planning, executing and safeguarding the flights of military aircraft designated as “important”*¹⁵.

The need to adapt the *Provisions* [...] catalogue number Lot. 1566/74 to the regulations of air traffic in Polish airspace employed by the civilian air traffic authorities, was the reason why only after a year of them being effective, on 21 January 1975, by virtue of the *Agreement of the Minister of National Defence and the Minister of Internal Affairs with the Minister of Communication on the Implementation of Changes in the Provisions Concerning Planning, Executing and Safeguarding Flights of Aircraft Designated as Important*¹⁶ (*Porozumienie Ministra Obrony Narodowej i Ministra Spraw Wewnętrznych z Ministrem Komunikacji w sprawie zmian w przepisach dotyczących planowania, wykonywania i ubezpieczania lotów statków powietrznych oznaczonych sygnałem ważny*), the normative document

¹⁴ Wojskowe Biuro Historyczne, catalogue number Lot. Made effective by *Order no. 8/MON of the Minister of National Defence of 1 April 1974*.

¹⁵ *Ibid.* p. 17.

¹⁶ Wojskowe Biuro Historyczne, catalogue number Lot. 1566/74.

was amended. The separation of other aircraft from military aircraft transporting state VIPs was decreased. The new measurements were as follows: vertically at least one (and not two) flight altitude level in accordance with the semi-circular cruising levels (approximately 300 m); horizontally 20 (not 25) km (to the left and to the right of the flight path, and 10 (not 20) minutes' flight (forwards and backwards from the location of the aeroplane transporting state VIPs). At military and jointly used take-off, landing and emergency airports of such an aircraft, other flights were to be halted for a period of 10 (not 20) minutes until the take-off or landing of the aircraft transporting state VIPs. Emergency airports for the aircraft transporting state VIPs were excluded from the ban on conducting operations (take-offs and landings) by other aircraft. The ban would be imposed only when there was information that such an aircraft needed to land at this particular airport. The agreement also specified minimal separations in civilian aircraft traffic on the flight paths of military aircraft transporting state VIPs and at civilian airports¹⁷.

The amended *Provisions concerning Planning, Executing and Safeguarding the Flights of Military Aircraft Designated as "Important"* were in force until 15 December 1975, when the regulations contained therein became invalid due to the fact that the *Agreement of the Minister of National Defence and the Minister of Internal Affairs with the Minister of Communication on the Flights of Aircraft Designated as Important* was signed. This normative document implemented in all Armed Forces (and also in the Ministry of Internal Affairs and the Ministry of Communication) the *Principles for Planning and Executing by Military Aircrafts Flights Designated as Important (Zasady planowania i wykonywania przez statki powietrzne lotów oznaczonych symbolem ważny)*, which constituted its annex. They regulated planning and requesting such transport, its safeguarding in respect of air traffic, meteorological cover, aircraft maintenance, and preparation of the crew. The document also contained an instruction for the Command of the Territorial Air Defence Forces to prepare and make effective as of 1 January 1976 detailed provisions concerning safeguarding and executing flights designated as "important", which was to be done in cooperation with "relevant military authorities, the Ministry of Internal Affairs and the Central Management of Civilian Aviation of the Ministry of Communication" In comparison to previous regulations, this normative document significantly limited the list of persons whose transport would entail the use of procedures ensuring security. They included: "the First Secretary of the Polish United Workers' Party, the Chairman of the Council of State, the President of the

¹⁷ Pursuant to the requirements contained in *Doc. 4444. Air Traffic Management* of the International Civil Aviation Organization (ICAO). For example, there was to be a two-minute time separation between take-offs in the case when after the take-off the aircraft flew different headings and there was lateral separation as well as excluded aircraft manoeuvres which would decrease the separation between them.

Council of Ministers¹⁸, the Marshall of the Sejm, members of the Politburo of the Polish United Workers' Party, the Minister of National Defence and the Minister of Internal Affairs as well as other persons at the request of the President of the Council of Ministers". At a request of an authorized person, the transport designated as "important" could be executed by aircraft equipped with one propulsion system or with one pilot (which, in accordance with the previous provisions was allowed only in the case of transport by helicopter in normal atmospheric conditions). Transport of state VIPs by military aircraft could be performed by planes and helicopters to the airports where air traffic authorities operated, which were equipped with means of communications and radionavigation, and by planes to the airports where there were no such authorities, means of communications or radionavigation. In the case of transport by planes, a new possibility was introduced - at the request of an authorized person it was possible to conduct a flight to the airport with no air traffic authorities, means of communications or radionavigation. It was indicated that the procedure for requesting and notifying of transport of authorized persons by military aircraft would be employed also in the case of such transport in air passenger communication. It was specified that managing the flights of aircraft transporting state VIPs in air space defined for civilian aviation and at civilian airports was within the competence of civilian air traffic services, however, in other components of the air space - within the competence of military air traffic services. It was indicated that the aircraft performing such transports had priority to taxi, take off and land, except when other aircraft were in danger or performed rescue flights. The decreased separations between other aircraft and a military aircraft transporting state VIPs were to be employed for transport designated as "spec. important"¹⁹. However, in the case of flights designated as "important", the separations were to be in accordance with the requirements of the International Civil Aviation Organization. The civilian or military meteorological services were responsible for the meteorological cover of the transport of state VIPs (in accordance with the agreement on cooperation). In the area of maintenance of aircraft used to transport state VIPs a new regulation was implemented. It banned an aircraft from conducting such transport if in the closest maintenance activities there was to be a replacement of propulsion systems or other important devices and equipment, which has direct influence on security of the flights. It was indicated that in the case of operating an aircraft transporting state VIPs beyond the area of its maintenance services, the crew commander was responsible for preparing such an aircraft to the flight, including execution of a test

18 Additional procedures to increase security were to be employed for transporting the first three of the above-mentioned persons, and such transport was to be designated as "spec. important".

19 Vertically at least one flight altitude level (approximately 300 m); horizontally 20 km (to the left and to the right of the flight path) and 10 minutes' flight (forwards and backwards from the location of the aeroplane transporting state VIPs). It was also indicated that at civilian controlled airports, other flights were suspended for a period of 20 minutes before take-off and landing of a military aircraft conducting such a transport.

flight (in the case of a stopover longer than 48 hours). However, aircraft executing scheduled flights in passenger communication were released from this obligation. The normative document did not specify any requirements regarding the experience of the crew designated to transport state VIPs by military aircraft, except an indication that such personnel must meet high requirements “in terms of ideology and politics, morale and expertise”. The user of the aircraft (commander of the air force unit) was responsible for designation of the crew and checking whether the aircraft commander was prepared to conduct such transport. The normative document did not define any duties related to safeguarding the flight of a military aircraft with state VIPs on board for post holders. It also did not define the persons who serve on commanding posts.

In accordance with the instruction included in the *Agreement* [...] of 15 December 1975, the Command of the Territorial Air Defence Forces created the *Provisions Concerning Safeguarding and Executing the Flights of Military Aircraft Designated as “Important”* (*Przepisy zabezpieczenia i wykonywania lotów statków powietrznych, oznaczonych symbolem ważny*). However, they were implemented²⁰ on 1 February 1976, that is one month after the prescribed date. It should be observed that the Commander of the Territorial Air Defence Forces, making a reference to the content of the *Agreement* [...] of 15 December 1975, implemented in his directive a new document to be used in the Polish Army, and not only in the part of the Armed Forces under his command. In comparison to the regulations contained in the *Agreement* [...] of 15 December 1975, the *Provisions* [...] catalogue number OPK 658/76 extended the list of persons authorized to be included in additional security procedures established for transports designated as “important (“spec. important”). The new list included “the members of overseas delegations that are counterparts of the enumerated positions”. The document implemented procedures regarding communicating information regarding a foreign aircraft in Polish airspace designated as “important” to the Government Protection Bureau and mutual exchange of information about such flights reported to military and civilian air traffic services. There was a principle implemented stating that the final decision on the take-off, landing or not conducting a flight when transporting state VIPs by military aircraft was to be taken by the aircraft commander and the duty officer of the Central Command Post of the Commander of the Territorial Air Defence Forces, who obtained this competence also in relation to civilian aircraft conducting transports designated as “important”. It was decided that the commander of a given airport (military unit commander) was to be responsible for all the organization activities related to the arrival, departure or maintenance of the aircraft transporting state VIPs. The duty officer of the Central Command Post of the Commander of the Territorial Air Defence Forces, however, was to be responsible for supervising that it was safeguarded by military air traffic services. They also returned to regulations stating that the weather forecast needed to make a decision regarding the planning the flight of a military aircraft transporting state VIPs and

²⁰ By Zarządzenie Szefa Sztabu Nr 9/OPK z dnia 16.01.1976 roku (*Directive of the Chief of Staff No 9/OPK of 16 January 1976*).

the weather forecast for the flight itself and landing at the destination airport was to be prepared by the Central Meteorological Bureau of the Central Command Post of the Commander of the Territorial Air Defence Forces. They also regulated the issue of conducting radionavigation weather checks (at least twice - 60 and 30 minutes before the take-off and landing of the aircraft executing such transport) and aviation weather check. When there were differences in the weather forecasts prepared at the jointly used airports by the military and civilian meteorological services, the military meteorological station was obliged to provide the crew of the aircraft transporting state VIPs with their own data, including at the end of METAR²¹ a remark regarding the meteorological data given by the civilian services. It was indicated that as far as possible, the flights of military aircraft transporting state VIPs were to be planned and conducted on "aviation routes". It was indicated that the personnel involved in the flights and the members of the crews licenced to perform them have to be familiar with the legal provisions concerning transport of state VIPs by military aircraft. At the same time, the applicable procedures constituted a supplement to the principles of planning, safeguarding and executing the flights of military aircraft in Polish airspace. The normative document also redefined the detailed duties related to safeguarding the flight of a military aircraft transporting state VIPs for post holders who served on the commanding posts of the Territorial Air Defence Forces, Radiotechnical Forces, air traffic services and the Central Hydrometeorological Bureau. It was indicated that in order to secure radio communications with the crews of the aircraft transporting state VIPs, all command posts conducting such communication should dedicate at least two communication radio stations. Before using a given airport for planned landing of a military airport transporting state VIPs, there could be a shortened test flight of all the flight safeguarding equipment planned to be employed. The radiolocation landing systems could be used to safeguard the landing of the aircraft conducting flights designated as "important" only after their test flight was made on one of the type of transport or passenger planes (not the type of the aircraft which conducted a given flight) in order to mark a correct glide path on the indicator of the radiolocation station. The radiolocation control of the execution of the flight of a military aircraft transporting state VIPs was to be conducted by a minimum of two radiolocation stations at the same time. Information about take-offs of military aircraft with state VIPs on board was to be given to the duty officer of the Government Protection Bureau. All telephone and radio calls of officials regarding safeguarding such a flight were to be registered on an audiotape, and the image from the indicators of the radiolocation landing systems was to be recorded with the use of cameras. The commander of the air force unit where the military airport transporting state VIPs was to land was obliged to give permission to accept such a flight and measure the visibility at least twice on the runway, if 90 minutes before landing it was shorter than 2000 m. In the *Provisions* [...] catalogue number OPK 658/76 they redefined the detailed procedures of verification, committee check, test

21 METeological Aerodrome Report – message about the weather conditions at the airport.

flight, on-ground committee technical inspection, removal of the failures found, sealing, collection of samples of the petrol and smears, and protection of the aircraft used to transport state VIPs as well as suspension by the committee president from performing the flights of the crew that poorly mastered the principles of use of a given aircraft. They repealed the regulation specified in the *Agreement [...]* of 15 December 1975, namely the ban on using aircraft to transport state VIPs in which in the closest maintenance activities there was to be a replacement of propulsion systems or other important devices and equipment. It was indicated that at a “foreign airport” the crew were to perform all activities related to the preparation of the aircraft to transport state VIPs and control of its technical condition (including a test flight in case there was a stopover longer than 48 hours, and after removal of failures). They were to do it in accordance with the scope of their qualifications and licences to perform such works. In order to make this task possible, every aircraft transporting state VIPs was equipped with a set of replacement parts and service tools. It was specified that the crew commander transporting state VIPs had to be a first-class pilot, the co-pilot needed to hold valid licences to perform flights in all atmospheric conditions, the navigator had to be a first-class navigator, and the remaining members of the crew needed “high qualifications” in their specialties. The normative document did not define the minimal atmospheric conditions for the take-off and landing of the military aircraft with state VIPs on board, indicating that in this respect the minimal atmospheric conditions of a given airport and the licences of the pilot were applicable. The annexes to the normative document constituted a template protocol of the aircraft test flight and the principles for measuring horizontal visibility on runways (both identical with the ones previously included in the *Provisions [...]* catalogue number 1566/74.

To sum up, it should be stated that as a result of the changes in the content of the normative documents applicable between 1973 and 1976 which regulated the process of ensuring security of transport of state VIPs implemented as a result of the irregularities in the content of the previously applicable documents discovered after the air catastrophe in 1973, the issues of preparing, planning and executing such flights were comprehensively regulated. The regulations which were implemented made it possible to specify the post holders responsible for requesting and notifying of such transports, duties of the officials taking part in their performance, safeguarding and securing as well as the requirements for aircraft used for such transports. The list of the persons authorized to be transported with the use of additional security procedures was significantly shortened. Additionally, there was their hierarchy and additional requirements for transports designated as “spec. important”. However, a threat to the security of such flights was a possibility of resigning from some procedures “at the request of the authorized person” which was provided for in the normative documents. Another threat was introducing for more than a month (from 15 December 1975 to 1 February 1976) the general principles of the *Agreement [...]* of 15 December 1975, which specified a significantly smaller number of requirements for such flights. It should be noted that the regulations contained in the *Provisions Concerning Planning, Executing and Safeguarding Flights of Aircraft Designated as*

*Important*²² and the *Provisions Concerning Safeguarding and Executing Flights of Aircraft Designated as Important above the Territory of the Polish People's Republic*²³ (*Przepisy zabezpieczenia i wykonywania lotów statków powietrznych, oznaczonych symbolem ważny nad terytorium PRL*) differed only in small detail²⁴, which could have been introduced as amendments to the first of the normative documents. A significant difference is, however, the legal basis for implementing these documents. The first one was made effective by a directive of the Minister of National Defence, which raises no doubt as to its use in all the Armed Forces. However, the other one was implemented by a directive of commander of the Territorial Air Defence Forces, which raises reservations whether the document was implemented in the Polish Army on the basis of the proper legal basis.

Regulations Concerning Transport of State VIPs by Military Aircraft which were in Effect between 1976 and 2003

Another air incident during transport of state VIPs by military aircraft which happened in 1976²⁵ did not provide proof that the normative documents which concern such transports did not regulate all necessary issues and as a consequence needed to be amended to ensure security of such flights. The committee investigating the above-mentioned air incident unequivocally determined that it had been caused by a number of failures to perform the duties indicated by the applicable normative documents which regulated the transport of state VIPs by military aircraft by people responsible for them²⁶.

The changes in the content of the normative documents concerning transport of state VIPs by military aircraft implemented between 1976 and 2003 were related to the implementation of further normative documents regulating the entire activity of military aviation (flight regulations) as well as changes in the list of state VIPs, which resulted from the political system changes which occurred in Poland in 1989.

The Rules and Regulations Concerning the Execution of Flights in Military Aviation (Regulamin wykonywania lotów w lotnictwie wojskowym) (RWL-74) in

22 Wojskowe Biuro Historyczne, catalogue number Lot. 1566/74.

23 Wojskowe Biuro Historyczne, catalogue number OPK 658/76.

24 It should not be surprising taking into account the time allocated to the Commander of the Territorial Air Defence Forces to prepare and discuss the new document with a number of external institutions was two weeks and it was in the Christmas and New Year time.

25 On 26 September 1976 there was a failure of Mil Mi-2 helicopter no 3603 from 103rd Air Force Regiment of the Vistula Military Units of the Ministry of Internal Affairs with the President of the Council of Ministers - Piotr Jaroszewicz on board.

26 *Protokół komisijnego badania wypadku lotniczego w 103. pułku lotn. NJWMSW (Report of the Committee Inspection of the Air Incident in the 103 Air Regiment)*, Archiwum Wojskowe w Nowym Dworze Mazowiecki (Military Archives in Nowy Dwór Mazowiecki), catalogue number 3920/16/77.

force from 1974²⁷ were replaced in 1986 by the *Rules and Regulations of Military Flights (Regulamin lotów lotnictwa wojskowego)* (RL-86)²⁸. This military document did not contain as detailed references to other documents regulating the execution of transport of state VIPs by military aircraft as RWL-74. In point 9 thereof it was indicated that flights fall into different categories, for example special flights. This category contained flights designated as “code name: important”²⁹. It should be observed that such provisions of RL-86 (created by the Air Force Command) were contrary to the *Provisions Concerning Safeguarding and Executing Flights of Aircraft Designated as Important above the Territory of the Polish People’s Republic* (created by the Command of the Territorial Air Defence Forces) which was still in force and indicated that flights of military aircraft were designated as “important or spec. important”

A subsequent change in the normative document concerning ensuring security of transport of state VIPs was introduced on 21 March 1989. In telegram no PF704 addressed to the users of the *Provisions [...]* catalogue number OPK 658/76, the Chief of Staff of the Territorial Air Defence Forces on the basis of a letter from the Office of the Council of Ministers no BO/90-7/89 of 15 February 1989 ordered that the list of the persons whose transport was to be executed using procedures aimed to ensure safety be updated. The new list included: “the First Secretary of the Polish United Workers’ Party, the Chairman of the Council of State, the President of the Council of Ministers, the Marshall of the Sejm³⁰, the Chairman of the Supreme Committee of the United People’s Party, the Chairman of the Central Committee of the Democratic Party, members of the Politburo of the Polish United Workers’ Party, Secretaries of the Polish United Workers’ Party who were not members of the Politburo, Vice Presidents of the Council of Ministers, the Minister of National Defence and the Minister of Internal Affairs and the Minister of Foreign Affairs as well as members of overseas delegations that were counterparts of the enumerated positions”.

Due to system changes which occurred in Poland, on 30 May 1990 the list of persons whose transport was to be executed with the use of security procedures contained in the *Provisions [...]* catalogue number 658/76 was amended³¹. They included: “The President of the Republic of Poland, the President of the Council of Ministers, the Marshall of the Senate of the Republic of Poland, the Marshall of the Sejm of the Republic of Poland, and persons visiting Poland and flying over the territory of the Republic of Poland who held counterpart positions”. The Chief of

27 Wojskowe Biuro Historyczne, catalogue number Lot. 1589/74.

28 Wojskowe Biuro Historyczne, catalogue number Lot. 2535/86. Made effective by *Rozkaz 14/MON Ministra Obrony Narodowej z dnia 04.07.1986 (Order no. 14/MON of the Minister of National Defence of 4 July 1986)*.

29 *Regulamin lotów lotnictwa wojskowego* (RL-86), page. 11

30 Transport of the first four persons indicated above was to be designated as “spec. important”.

31 On the basis of *telegram Szefa Sztabu Wojsk Obrony Powietrznej Kraju nr 1145 (the telegram of the Chief of Staff of the Territorial Air Defence Forces no 1145)* prepared based on *Decyzja Szefa Urzędu Rady Ministrów (the Decision of the Chief of the Office of the Council of Ministers)*

Staff of the Territorial Air Defence Forces in his telegram informed that there were actions taken to create new documents regulating transport of state VIPs by military aircraft. At the same time he ordered that until they were implemented transport of the above-indicated people was designated as “important” and simultaneously security applicable to designation “spec. important” was applied. Despite such a declaration, new regulations comprehensively regulating the issues related to ensuring safe transport of state VIPs by military aircraft were not implemented before 2004.³²

This gap and outdated of the applicable normative document concerning the security of transporting state VIPs by military aircraft caused that selected aspects related to execution of such transport were regulated directly by the President of the Council of Ministers. In *the Directive no 26 of the President of the Council of Ministers of 31 August 1995 on special air transport (Zarządzenie nr 26 Prezesa Rady Ministrów z dnia 31.08.1995 roku w sprawie specjalnego transportu lotniczego)*, it was indicated that the following persons were authorized to enjoy the special air transport with the use of planes and helicopters meeting the requirements specified in the instruction concerning the transport of persons holding state leadership positions which were possessed by the 36th special regiment of transport aviation: “The President of the Republic of Poland, the President of the Council of Ministers, the Marshall of the Sejm of the Republic of Poland, the Marshall of the Senate of the Republic of Poland, Vice Presidents of the Council of Ministers, the Minister of National Defence, the Minister of Foreign Affairs, the Minister of Interior Affairs, the Chief of the Chancellery of the President of the Republic of Poland and the Chief of the Office of the Council of Ministers”. Other people and institutions could enjoy such transport on the basis of a one-off consent of the Chief of the Office of the Council of Ministers, who would also give permission to an aircraft of the 36th special regiment of transport aviation to make a paid charter flight. The requests for aircraft were to be made in writing to the Chief of the Office of the Council of Ministers at least three days in advance, and the requesting party was obliged to organize accommodation of the crew, service and security of the aircraft in the place of destination. Such requests were to be subsequently sent to the 36th special regiment of transport aviation, the Government Protection Bureau, Gospodarstwo Pomocnicze of the Office of the Council of Ministers³³, and, in the case of overseas flights, to the Polish Airlines LOT (to organize the service of the aircraft). It was also possible, in emergency situations and after working hours, to send the requests for aircraft directly to the commander of the 36th special regiment of transport aviation.

³² During a conversation with Henryk Pietrzak, retired major general pilot, who in 1990 held the office of the Chief of Staff of the Territorial Air Defence Forces, it was ascertained that they were created. A likely reason why they were not implemented was the transformation in the structure of the command which took place on 1 July 1990 (joining the command of the Territorial Air Defence Forces and the command of the Air Forces into one Command of the Air Forces and the Anti-Aircraft Defence Forces) as well as the related changes of the competence and manning of individual positions.

³³ Responsible for catering during a given flight.

The Chief of the Office of the Council of Ministers was also obliged to make a register of the requested and executed flights and make annual reports on the use of special air transport to the President of the Council of Ministers. The *Directive no 26* was replaced with *Directive no 2 of the President of the Council of Ministers of 2 January 1997 on Special Air Transport (Zarządzenie nr 2 Prezesa Rady Ministrów z dnia 02.01.1997 roku w sprawie specjalnego transportu lotniczego)*, however, the changes made to the document concerned only corrections of the names of the positions of persons authorized to use special air transport (the Minister of Internal Affairs was replaced with the Minister of Internal Affairs and Administration, and the Chief of the Office of the Council of Ministers with the Chief of the Chancellery of the President of the Council of Ministers).

In 1999 there was an amendment³⁴ made in the *Rules and Regulations of Military Flights (Regulamin lotów lotnictwa wojskowego)* (RL-86) - a new chapter (points from 300¹ to 300¹⁴) were added. The chapter was devoted to the principles of performing special flights. Despite the fact that it followed from the content of RL-86 that flights designated as “code name: important” were considered special flights, in the new chapter there was a provision stating that: “special flights have the nature of shows and air parades”, and all new regulations concerned only flights of this nature³⁵. All the above changes concerning the definition of special flights were preserved in the next document regulating the entire military aviation activity: *The Rules and Regulations of Military Aviation* (RL-2000)³⁶, in which special flights were defined as “flights to check the systems of command and flights executed as part of air shows and parades”. The above-mentioned document did not have any other regulations concerning security of transporting state VIPs by military aircraft.

To sum up, it should be stated that the normative documents applicable between 1976 and 2003 concerning implementation of procedures to ensure security of transport of state VIPs with time were more and more outdated, which was related to the change of commanding structures³⁷, changes in division of air space and the principles of conducting flights. An attempt to standardize the principles of such flights after the system changes failed in the end. The regulation of the principles of special air transport made in two subsequent directives of the President of the Council of Ministers implemented a list of state VIPs which was different from the list included in the *Provisions* [...] catalogue number OPK 658/76. It also allowed

34 Based on *Decyzja nr 237/MON Ministra Obrony Narodowej z dnia 25.11.1999 roku (Decision No 237/MON of the Minister of the National Defence) of 25 November 1999.*

35 Probably, as a result of an order to regulate the said issues after the catastrophe of plane TS-11 which occurred on 11 November 1998 during the Independence Day air show.

36 *Wojskowe Biuro Historyczne*, catalogue number Lot. WLOP 311/2001. Made effective by *Order no. 28/MON of the Minister of National Defence of 21 February 2001*

37 For example, the Central Command Post of the Commander of the Territorial Air Defence Forces was eliminated and replaced by the Central Command Post of the Air Forces and the Territorial Anti-Aircraft Defence Forces in 1990, and the Central Hydrometeorological Bureau was closed in 1999.

people from the political level to directly use the aviation equipment of the 36th special regiment of transport aviation. It was made possible to give permits to use such transport commercially. Also authorized persons could request transport directly at the transport provider, including urgent cases, when it was impossible to follow a time regime, that is properly prepare the aircraft and its crew to perform the flight. Also in the case of normative documents regulating the entire activity of military aviation, it can be observed that there was a gradual time flow related elimination of regulations concerning ensuring security of transport of state VIPs, which may mean that the persons who created them did not have the necessary knowledge (it can be illustrated by the difference in names of such flights in RL-86 and the *Provisions* [...] catalogue number OPK 658/76) or awareness that such regulations had been introduced to previous normative documents as a result of the experience from numerous air incidents during transport of state VIPs by military aircraft. It should be indicated that the fact that normative documents concerning ensuring security of state VIPs by military aircraft were outdated and the persons who directly used the transport prepared the normative documents regulating specific issues of such flights (aiming at simplification of the procedures) constituted a serious threat to the security of transport of state VIPs by military aircraft.

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