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Press Release

At the session of the Senior National Defense and Security Council held on December 7, 1993, the Government of Colombia adopted the decision to enforce fully Colombia's existing regulations on the use of air defense systems. The measure is aimed at defending and preserving national sovereignty and preventing overflight by aircraft that do not have the proper flight plan to overfly Colombian airspace. The Ministries of Defense and Justice consider this to be an appropriate measure in view of the constant violations of national sovereignty by aircraft involved in drug trafficking.

Under the 1944 Chicago Civil Aviation Convention, the international community recognizes the sovereignty of each State in the airspace above its territory. In conformity with international regulations and existing guidelines, this permits

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interception of civilian aircraft by military planes, when said aircraft are not in compliance with civil aviation rules. It is clear that the Chicago Convention and the 1984 Montreal Amendment require States to adopt appropriate measures to prohibit the deliberate use of civilian aircraft for any purpose that is incompatible with civil aviation objectives.

Based on the foregoing, and in full compliance with the regulations and procedures approved by the International Civil Aviation Organization (ICAO), which state that "the interception of civilian aircraft shall take place only as a last resort," the authorities shall exhaust all options available to them before proceeding to interception, i.e., they shall attempt radiotelephone communication, and instructions shall be relayed so that the aircraft may return to the indicated route, be directed outside national airspace, be guided out of a restricted or dangerous zone, or land at an assigned airfield, as appropriate.

If, in the event the aircraft refuses to identify itself and follow instructions, interception becomes necessary, the intercepting aircraft shall attempt communication by means of the visual signals set forth in internationally accepted procedures.

If detection, identification, and interception procedures have been exhausted and the aircraft continues to ignore the procedures indicated, it will be considered a hostile aircraft.

In such situations, after receiving authorization from the Commander of the Air Force, which is mandatory, weapons may be used. Initially, the intercepting aircraft shall persuade [sic--dissuade?] the aircraft in violation by means of warning shots. If the hostile conduct continues after this measure, [the aircraft] shall be subject to disabling action by means of air defense systems, again with the authorization of the Commander of the Colombian Air Force, who shall verify that procedures have been followed.

Under no circumstances shall this extreme measure be used against aircraft belonging to regular commercial airlines whose purpose is to transport passengers, based on the list provided by Aerocivil [the civil aviation authorities]. At this point, it is useful to bear in mind that the Chicago Convention and the Montreal Amendment refer specifically to civil aviation, which would include aircraft of regular commercial airlines that transport passengers, which, as stated, shall not be subject to this action under any circumstances.

Upon conclusion of all interception procedures, military pilots shall fill out a mission report so that compliance with established procedures can be verified. Only Colombian Air Force aircraft shall engage in interception activities, and at the end of each operation a report on said operation shall be provided to the Fiscal [Judge Advocate General] of the Colombian Air Force. Foreign military aircraft shall be subject to the special rules applicable thereto.

For all necessary purposes, a note (document containing the pertinent aeronautical regulations) providing information to the international aviation authorities of the measures adopted shall be issued.

Santafé de Bogotá, D.C., March 2, 1994